**Tuesday, June 18, 2013**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by Senator ALEXANDER as follows:

A plea went out to the people, reminding them that:

“... the Lord your God is gracious and compassionate. He will not turn his face from you if you return to him.” (II Chronicles 30:9b)

Let us pray:

Holy God, we thank You and praise You for being with us -- always. The gift of relaxation and of renewal is always enhanced by Your promised presence. We celebrate that reality. And even in our days and weeks of labor and of service to others, You inevitably bless us in wonderful and marvelous ways. Now, dear Lord, as we return to the Gressette Building and to this State House, we pray that You will especially bless us while, working together, we carry out certain tasks that continue to need our attention and resolution. Grant us energy and wisdom as You alone can do. In Your loving name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 11, 2013, at 10:00 A.M. and the following Acts and Joint Resolutions were ratified:

(R74, S. 2) -- Senators Campsen, L. Martin, Cromer, Hayes and Grooms: AN ACT TO AMEND SECTION 7‑11‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A PERSON WHO WAS DEFEATED AS A CANDIDATE IN A PARTY PRIMARY OR BY PARTY CONVENTION FROM HAVING HIS NAME PLACED ON THE BALLOT FOR THE ENSUING GENERAL OR SPECIAL ELECTION EXCEPT WHEN THE PARTY’S NOMINEE DIES, RESIGNS, IS DISQUALIFIED, OR OTHERWISE CEASES TO BECOME THE PARTY’S NOMINEE FOR THAT OFFICE; TO AMEND SECTION 7‑11‑15, AS AMENDED, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO PROVIDE STREAMLINED GUIDELINES AND PROCEDURES FOR THE FILING OF STATEMENTS OF INTENTION OF CANDIDACY AND PARTY PLEDGE AND ANY FILING FEES TO THE STATE ELECTION COMMISSION OR THE COUNTY BOARD OF REGISTRATION AND ELECTIONS, AS APPROPRIATE; TO AMEND SECTION 7‑11‑30, RELATING TO PARTY CONVENTION NOMINATION OF CANDIDATES, SO AS TO PROVIDE A PROCEDURE FOR THE NOMINATION OF CANDIDATES BY PARTY CONVENTION BY A THREE‑FOURTHS VOTE AT THE CONVENTION TO USE THE CONVENTION NOMINATION PROCESS WITH A MAJORITY VOTE IN THE PARTY’S NEXT PRIMARY ELECTION TO APPROVE THIS PROCESS; TO AMEND SECTION 7‑11‑210, AS AMENDED, RELATING TO NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REFERENCE 7‑11‑15, DELETE PROVISIONS RELATING TO NOTICE, AND MAKE CONFORMING CHANGES TO THE PARTY PLEDGE; TO AMEND SECTION 7‑13‑40, AS AMENDED, RELATING TO THE TIME OF THE PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES’ QUALIFICATIONS, AND THE FILING FEE, SO AS TO PROVIDE CERTIFICATION OF CANDIDATES NOT LATER THAN NOON ON APRIL FIFTH OR NOON ON THE FOLLOWING MONDAY IF THE FIFTH FALLS ON THE WEEKEND; TO AMEND SECTION 7‑13‑45, AS AMENDED, RELATING TO FILING AS A CANDIDATE, SO AS TO REFERENCE THE REQUIREMENTS OF SECTION 7‑11‑15 AND MAKE CONFORMING CHANGES; TO AMEND SECTION 8‑13‑365, AS AMENDED, RELATING TO ELECTRONIC FILING FOR DISCLOSURES AND REPORTS, SO AS TO EXEMPT FORMS AND REPORTS REQUIRED PURSUANT TO ARTICLE 9, CHAPTER 13, TITLE 8 FROM THE STATE ETHICS COMMISSION’S DIRECTIVE TO ESTABLISH AN ELECTRONIC FILING SYSTEM AND TO DELETE OBSOLETE LANGUAGE; TO AMEND SECTION 8‑13‑1140, RELATING TO FILING OF AN UPDATED STATEMENT OF ECONOMIC INTERESTS, SO AS TO REFERENCE SECTION 8‑13‑365 AND TO CHANGE THE FILING DEADLINE FROM APRIL FIFTEENTH TO NOON ON MARCH THIRTIETH; TO AMEND SECTION 8‑13‑1356, AS AMENDED, RELATING TO THE FILING OF STATEMENTS OF ECONOMIC INTERESTS BY CANDIDATES, SO AS TO PROVIDE THAT A CANDIDATE WHO FILES A STATEMENT OF INTENTION OF CANDIDACY SEEKING NOMINATION BY POLITICAL PARTY PRIMARY OR CONVENTION MUST ELECTRONICALLY FILE A STATEMENT OF ECONOMIC INTERESTS PRIOR TO THE CLOSE OF FILING FOR THAT PARTICULAR OFFICE, A CANDIDATE WHO FILES A PETITION FOR NOMINATION MUST FILE A STATEMENT OF ECONOMIC INTERESTS WITHIN FIFTEEN DAYS OF SUBMITTING THE PETITION, AND A PERSON WHO BECOMES A WRITE‑IN CANDIDATE MUST ELECTRONICALLY FILE A STATEMENT OF ELECTRONIC INTERESTS WITHIN TWENTY‑FOUR HOURS OF FILING AN INITIAL CAMPAIGN FINANCE REPORT OR BEFORE TAKING THE OATH OF OFFICE, WHICHEVER OCCURS EARLIER; TO REPEAL SECTION 7‑11‑220 RELATING TO NOTICE OR PLEDGE BY CANDIDATES FOR THE STATE SENATE; AND TO REQUIRE THE STATE ELECTION COMMISSION TO NOTIFY EACH COUNTY ELECTION COMMISSION OF THE PROVISIONS OF THIS ACT, TO POST THE PROVISIONS OF THIS ACT ON ITS WEBSITE, AND TO REQUIRE EACH STATE PARTY EXECUTIVE COMMITTEE TO NOTIFY THE COUNTY EXECUTIVE PARTIES OF THE PROVISIONS OF THIS ACT.

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(R75, S. 8) -- Senator L. Martin: AN ACT TO AMEND SECTION 47-3-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIABILITY OF AN OWNER OR KEEPER OF A DOG FOR A DOG ATTACK, SO AS TO PROVIDE THAT LIABILITY DOES NOT EXTEND TO A DOG WHO WAS PROVOKED OR HARASSED BY THE PERSON ATTACKED OR TO TRAINED LAW ENFORCEMENT DOGS UNDER CERTAIN DELINEATED CIRCUMSTANCES; AND BY ADDING SECTION 23‑23‑140 SO AS TO DEFINE THE TERM “PATROL CANINE TEAMS” AND PROVIDE CERTIFICATION REQUIREMENTS FOR THE TEAMS.

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(R76, S. 127) -- Senators Alexander and Ford: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 38, TITLE 44 SO AS TO CREATE THE SOUTH CAROLINA BRAIN INJURY LEADERSHIP COUNCIL, TO PROVIDE FOR DUTIES OF THE COUNCIL, TO PROVIDE FOR QUALIFICATIONS AND MEMBERSHIP OF THE COUNCIL, AND TO REPEAL SECTION 44‑20‑225 RELATING TO CONSUMER ADVISORY BOARDS FOR INDIVIDUALS WITH CERTAIN INTELLECTUAL DISABILITIES AND BRAIN AND SPINAL CORD INJURIES.

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(R77, S. 341) -- Senators Alexander, Reese, Fair, Lourie, Cromer, L. Martin, Campbell, Shealy and Ford: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “EMERSON ROSE ACT” BY ADDING SECTION 44‑37‑70 SO AS TO REQUIRE EACH BIRTHING FACILITY LICENSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM A PULSE OXIMETRY SCREENING, OR ANOTHER APPROVED SCREENING TO DETECT CONGENITAL HEART DEFECTS, ON EVERY NEWBORN IN ITS CARE, WHEN THE BABY IS TWENTY‑FOUR TO FORTY‑EIGHT HOURS OF AGE, OR AS LATE AS POSSIBLE IF THE BABY IS DISCHARGED FROM THE HOSPITAL BEFORE REACHING TWENTY‑FOUR HOURS OF AGE.

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(R78, S. 348) -- Senator L. Martin: AN ACT TO AMEND SECTION 6‑9‑55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BUILDING CODES COUNCIL PROMULGATING CERTAIN REGULATIONS, SO AS TO EXTEND A PROVISION REGARDING REGULATIONS AND RESIDENTIAL FIRE SPRINKLER SYSTEMS, AND TO PROVIDE THAT SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE MUST NOT BE ENFORCED PRIOR TO JULY 1, 2015; AND BY ADDING SECTION 6‑10‑35 SO AS TO PROVIDE FOR REQUIREMENTS FOR FIREPLACES IN LIEU OF REQUIREMENTS OF THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

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(R79, S. 460) -- Senator Hayes: AN ACT TO AMEND SECTION 38‑45‑90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF BROKERS PLACING BUSINESS WITH NONADMITTED INSURERS, SO AS TO REVISE THE PROOF THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY REQUIRE FROM A BROKER SEEKING TO PLACE BUSINESS WITH A NONADMITTED INSURER, TO PROVIDE A NECESSARY DEFINITION, AND TO IMPOSE CERTAIN DUE DILIGENCE REQUIREMENTS ON THE BROKER.

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(R80, S. 463) -- Senators Hayes and Ford: AN ACT TO AMEND SECTION 38-53-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICANTS FOR LICENSURE AS PROFESSIONAL BONDSMEN AND RUNNERS, SO AS TO REQUIRE CERTAIN STATE AND NATIONAL CRIMINAL BACKGROUND CHECKS, TO PROVIDE THE DEPARTMENT OF INSURANCE MUST REPORT THE RESULTS, AND TO PROVIDE THE APPLICANT MUST BEAR THE ASSOCIATED COSTS.

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(R81, S. 481) -- Senators Malloy, McGill, Leatherman, Setzler, Johnson and Ford: AN ACT TO AMEND SECTION 12‑21‑2425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMISSIONS LICENSE TAX EXEMPTION FOR A MOTORSPORTS ENTERTAINMENT COMPLEX, SO AS TO REQUIRE THE COMPLEX TO BE A NASCAR-SANCTIONED MOTOR SPEEDWAY THAT HOSTED AT LEAST ONE NASCAR SPRINT CUP SERIES RACE IN 2012, AND CONTINUES TO HOST AT LEAST ONE NASCAR SPRINT CUP SERIES RACE, OR ANY SUCCESSOR RACE FEATURING THE SAME NASCAR CUP SERIES.

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(R82, S. 484) -- Senator Setzler: AN ACT TO AMEND SECTION 9‑11‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISABILITY RETIREMENT FOR MEMBERS OF THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO DELETE THE REQUIREMENT THAT CERTAIN MEMBERS BE ELIGIBLE FOR, AND PROVIDE PROOF OF, SOCIAL SECURITY DISABILITY BENEFITS TO CONTINUE TO RECEIVE A DISABILITY RETIREMENT BENEFIT, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 9‑11‑10, AS AMENDED, RELATING TO DEFINITIONS THAT APPLY TO THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO DEFINE “MEDICAL BOARD”; TO AMEND SECTION 9‑11‑30, AS AMENDED, RELATING TO THE ADMINISTRATION OF THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO REQUIRE THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY TO DESIGNATE A MEDICAL BOARD, TO ESTABLISH ITS MEMBERSHIP, AND TO PROVIDE ITS DUTIES; AND TO AMEND ACT 153 OF 2005, RELATING TO THE RETIREMENT SYSTEMS, SO AS TO MAKE CONFORMING CHANGES RELATING TO REFERENCES TO THE MEDICAL BOARD.

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(R83, S. 551) -- Senator Corbin: AN ACT TO AMEND SECTION 50‑11‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPEN HUNTING SEASON FOR ANTLERED DEER, SO AS TO PROVIDE THAT THE OPEN SEASON IN GAME ZONE 1 WITH ARCHERY EQUIPMENT AND FIREARMS IS OCTOBER 11 THROUGH JANUARY 1, AND TO PROVIDE THAT ON WILDLIFE MANAGEMENT AREA LANDS, THE DEPARTMENT OF NATURAL RESOURCES MAY PROMULGATE REGULATIONS IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT TO ESTABLISH SEASONS FOR THE HUNTING AND TAKING OF DEER.

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(R84, S. 562) -- Senators Campsen and Davis: AN ACT TO AMEND SECTION 27‑27‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RECOVERY OF THE VALUE OF IMPROVEMENTS MADE IN GOOD FAITH IN AN ACTION TO RECOVER LANDS AND TENEMENTS, SO AS TO PROVIDE THAT THE DEFENDANT SHALL BE ENTITLED TO RECOVER THE FULL VALUE OF ALL IMPROVEMENTS IF THE DEFENDANT PURCHASED OR ACQUIRED TITLE TO THE LANDS AND TENEMENTS.

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(R85, S. 584) -- Senators Campsen and Rankin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑9‑15 SO AS TO DEFINE THE TERM “LICENSE SALES VENDOR” AND “LICENSE YEAR”; TO AMEND SECTION 50‑9‑20, AS AMENDED, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO PROVIDE FOR THE DURATION OF LICENSES FOR RECREATIONAL AND COMMERCIAL USE, AND PERMIT THE DEPARTMENT TO DISCONTINUE THE ISSUANCE OF STAMPS AND PERMIT THE DEPARTMENT TO ISSUE A LICENSE THAT EXPIRES ON THE DAY BEFORE THE ANNIVERSARY OF ITS ISSUANCE; TO AMEND SECTION 50‑9‑30, AS AMENDED, RELATING TO RESIDENCY REQUIREMENTS IMPOSED FOR THE ISSUANCE OF CERTAIN LICENSES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 50‑9‑350, AS AMENDED, RELATING TO APPRENTICE HUNTING LICENSES, SO AS TO PROVIDE THAT THE HOLDER OF AN APPRENTICE HUNTING LICENSE WHO OBTAINS A CERTIFICATE OF COMPLETION PRIOR TO THE EXPIRATION DATE OF HIS APPRENTICE HUNTING LICENSE MUST USE HIS APPRENTICE HUNTING LICENSE AS HIS STATEWIDE HUNTING LICENSE, PROVIDED THAT THE LICENSEE MUST HAVE THE CERTIFICATE OF COMPLETION IN HIS POSSESSION WHILE HUNTING; TO AMEND SECTION 50‑9‑510, AS AMENDED, RELATING TO LICENSES FOR PURCHASE FOR THE PRIVILEGE OF HUNTING, SO AS TO DISCONTINUE ISSUANCE OF HUNTING LICENSES THAT ARE VALID ONLY IN A SINGLE COUNTY, TO REMOVE RESTRICTIONS ON THE THREE YEAR LICENSE PURCHASE, TO CLARIFY REQUIREMENTS FOR MIGRATORY WATERFOWL PERMITS, AND TO PROVIDE FOR THE RETAINED VENDOR FEE; TO AMEND SECTION 50-9-525, RELATING TO THE ISSUANCE OF HUNTING AND FISHING LICENSES TO DISABLED RESIDENTS, SO AS TO REVISE THE CRITERIA USED TO DETERMINE WHO MAY OBTAIN A LICENSE UNDER THIS PROVISION; TO AMEND SECTION 50‑9‑530, AS AMENDED, RELATING TO CATAWBA LICENSES, SO AS TO PROVIDE THAT THERE IS NO COST TO A CATAWBA HUNTING AND FISHING LICENSEE FOR ANY OTHER TAGS REQUIRED BY LAW FOR RECREATIONAL HUNTING AND FISHING EXCEPT FOR THOSE DEPARTMENT HUNTING AND FISHING ACTIVITIES CONTROLLED BY LOTTERY; TO AMEND SECTION 50‑9‑540, AS AMENDED, RELATING TO RECREATIONAL FISHING LICENSES, SO AS TO PROVIDE THAT RESIDENTS AND NONRESIDENTS MUST PURCHASE ANY OTHER LICENSE THAT GRANTS FISHING PRIVILEGES, TO DELETE THE LAKES AND RESERVOIRS PERMIT, AND TO CHANGE THE TEMPORARY NONRESIDENT FISHING LICENSE FROM SEVEN TO FOURTEEN DAYS; TO AMEND SECTION 50‑9‑610, RELATING TO ADDITIONAL REQUIREMENTS FOR TAKING NONGAME FRESHWATER FISH, SO AS TO DELETE THE PROVISION THAT EXEMPTS A RESIDENT WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER FROM PURCHASING A PERMIT FOR RECREATIONAL FISHING OF CERTAIN SET HOOKS AND PROVIDE THAT TAGS MUST BE ATTACHED AS PRESCRIBED; TO AMEND SECTION 50‑9‑665, RELATING TO BEAR HUNTING, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50‑9‑920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO MAKE CONFORMING CHANGES, AND TO PROVIDE FOR REVISED LICENSE REVENUE DISTRIBUTION; TO AMEND SECTION 50‑9‑950, RELATING TO THE FISH AND WILDLIFE PROTECTION FUND, SO AS TO REVISE THE FUND’S PURPOSE, SOURCES OF REVENUE, AND DISTRIBUTION OF REVENUES; TO AMEND SECTION 50‑9‑955, RELATING TO THE FISH AND WILDLIFE DEFERRED LICENSE FUND, SO AS TO MAKE A TECHNICAL CHANGE, AND REVISE THE FORMULA FOR DISTRIBUTING REVENUES CONTAINED IN THE FUND; TO AMEND SECTION 50‑9‑960, RELATING TO THE MARINE RESOURCES FUND, SO AS TO REVISE THE PURPOSE OF THE FUND, REVISE THE SOURCES OF REVENUE CONTAINED IN THE FUND, AND REVISE THE PROJECTS THAT MAY BE SUPPORTED BY THE FUND; TO AMEND SECTION 50‑9‑965, RELATING TO THE MARINE RESOURCES DEFERRED LICENSE FUND, SO AS TO MAKE A TECHNICAL CHANGE, AND REVISE THE FORMULA FOR TRANSFERRING REVENUES INTO THE FUND; TO REPEAL SECTION 50‑15‑65(E) RELATING TO ALLIGATOR HUNTING, CONTROL, AND MANAGEMENT; TO AMEND SECTION 50-9-35, RELATING TO A PERSON WHO TRANSFERS HIS RESIDENCY, SO AS TO REVISE THE PROVISIONS THAT REGULATE WHO MAY LAWFULLY HOLD A RESIDENT LICENSE PERMIT, STAMP, OR TAG ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES.

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(R86, S. 590) -- Senator Campsen: AN ACT TO AMEND SECTION 50‑5‑1705, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH LIMITS FOR CERTAIN FISH, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR POSSESS MORE THAN ONE TARPON IN ANY ONE DAY OR A TARPON OF LESS THAN SEVENTY‑SEVEN INCHES IN FORK LENGTH; AND TO AMEND SECTION 50-5-15, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO DEFINE THE TERM “FORK LENGTH”.

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(R87, S. 610) -- Senators Rankin, Cleary, Hembree and McGill: AN ACT TO AMEND SECTION 11‑41‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, SO AS TO CLARIFY THAT THE DEFINITION OF “ECONOMIC DEVELOPMENT PROJECT”, INCLUDING A NATIONAL AND INTERNATIONAL CONVENTION AND TRADE SHOW CENTER OWNED BY A PUBLIC ENTITY INCLUDES AN ADJACENT FACILITY ALLOWING SPECIFIC EVENTS THEREBY MAKING ADDITIONAL TIME AND SPACE AVAILABLE FOR THE MAJOR CONVENTIONS, TRADE SHOWS, AND SPECIAL EVENTS CONTEMPLATED BY THE ACT AND REQUIRE JOINT BOND REVIEW COMMITTEE REVIEW AND COMMENT ON SUCH AN ADJACENT FACILITY; AND TO AMEND SECTION 11‑41‑70, RELATING TO PURPOSES OF THE ISSUE OF BONDS PURSUANT TO THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT AND SPECIFIC REQUIREMENTS APPLICABLE TO A PUBLIC ENTITY RECEIVING BOND PROCEEDS, SO AS TO EXTEND FROM TEN TO FIFTEEN YEARS THE PERIOD IN WHICH A NATIONAL AND INTERNATIONAL CONVENTION AND TRADE SHOW CENTER MUST BE COMPLETED.

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(R88, S. 707) -- Senator Lourie: AN ACT TO PROVIDE FOR THE AUTHORITY OF THE CITY OF COLUMBIA TO APPOINT AND COMMISSION FIREFIGHTERS TO SERVE AS A CERTIFIED LAW ENFORCEMENT OFFICER FOR CERTAIN LIMITED PURPOSES WITH THE FULL POWERS OF A CERTIFIED LAW ENFORCEMENT OFFICER AND TO REQUIRE FIREFIGHTERS TO MEET CERTAIN QUALIFICATIONS TO BE COMMISSIONED AS A CERTIFIED LAW ENFORCEMENT OFFICER.

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(R89, S. 732) -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF COSMETOLOGY, RELATING TO REQUIREMENTS OF LICENSURE IN THE FIELD OF COSMETOLOGY (EDUCATIONAL REQUIREMENTS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4336, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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(R90, H. 3033) -- Rep. G.M. Smith: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 132 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL LICENSE PLATES TO RECIPIENTS OF THE DISTINGUISHED FLYING CROSS; TO AMEND SECTIONS 56‑3‑1810, 56‑3‑1815, AND 56‑3‑1820, ALL RELATING TO SPECIAL LICENSE PLATES THAT MAY BE ISSUED TO MEMBERS OF THE NATIONAL GUARD, SO AS TO DEFINE THE TERMS “PRIVATE PASSENGER MOTOR VEHICLE” AND “MOTORCYCLES”; TO AMEND SECTION 56‑3‑10410, AS AMENDED, RELATING TO THE ISSUANCE OF “VETERAN” SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A VETERAN; BY ADDING ARTICLES 133, 134, AND 135 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “MOTORCYCLE AWARENESS ALLIANCE”, “S. C. RIVERKEEPERS”, AND “SAVANNAH LEE MONROE AUTISM AWARENESS” SPECIAL LICENSE PLATES; BY ADDING SECTION 56‑3‑8110 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE MOTORCYCLE SPECIAL LICENSE PLATES FOR ANY MOTOR VEHICLE SPECIAL LICENSE PLATE ISSUED BY THE DEPARTMENT; TO AMEND SECTIONS 56‑3‑8000 AND 56‑3‑8100, BOTH AS AMENDED, RELATING TO DEPARTMENT OF MOTOR VEHICLE GUIDELINES FOR THE PRODUCTION AND DISTRIBUTION OF SPECIAL LICENSE PLATES, SO AS TO REVISE THESE GUIDELINES.

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(R91, H. 3093) -- Reps. J.E. Smith, W.J. McLeod and Whipper: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 12 SO AS TO ENACT THE “SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT” TO PROVIDE THAT A TAXPAYER MAKING INVESTMENTS OF A CERTAIN SIZE IN REHABILITATING AN ABANDONED BUILDING BASED ON THE POPULATION OF THE POLITICAL SUBDIVISION IN WHICH THE BUILDING IS LOCATED MAY AT THE TAXPAYER’S OPTION RECEIVE SPECIFIED INCOME TAX CREDITS OR CREDITS AGAINST THE PROPERTY TAX LIABILITY, TO PROVIDE THE PROCEDURES, CRITERIA, AND REQUIREMENTS NECESSARY TO OBTAIN THESE CREDITS, AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 67, TITLE 12 ARE REPEALED ON DECEMBER 31, 2019.

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(R92, H. 3099) -- Reps. Nanney and Long: AN ACT TO AMEND SECTION 63‑17‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES REQUIRED TO PROVIDE INFORMATION TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF ESTABLISHING, MODIFYING, AND ENFORCING CHILD SUPPORT OBLIGATIONS, SO AS TO ALSO REQUIRE THESE ENTITIES TO PROVIDE THIS INFORMATION TO CLERKS OF COURT FOR THE SAME PURPOSE IN CASES NOT BEING ADMINISTERED PURSUANT TO TITLE IV‑D OF THE SOCIAL SECURITY ACT BY THE DEPARTMENT OF SOCIAL SERVICES; AND TO MAKE TECHNICAL CORRECTIONS.

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(R93, H. 3184) -- Reps. Pope, R.L. Brown, M.S. McLeod, Weeks, Bales, Gilliard, Whipper, W.J. McLeod and Mitchell: AN ACT TO AMEND SECTION 22‑5‑910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE THAT A PERSON MAY BE ELIGIBLE FOR EXPUNGEMENT OF A FIRST OFFENSE CRIME WHICH CARRIES A FINE OF ONE THOUSAND DOLLARS RATHER THAN FIVE HUNDRED DOLLARS; TO AMEND SECTION 17‑1‑40, AS AMENDED, RELATING TO THE DESTRUCTION OF CRIMINAL RECORDS WHEN CHARGES ARE DISMISSED, SO AS TO PROVIDE FOR DESTRUCTION OF CRIMINAL RECORDS WHEN A COURTESY SUMMONS WAS ISSUED UNDER CERTAIN CIRCUMSTANCES AND TO REQUIRE REMOVAL OF ANY INTERNET‑BASED PUBLIC RECORD OF A CHARGE THAT IS DISMISSED OR DISCHARGED NO LATER THAN THIRTY DAYS FROM THE DISPOSITION DATE.

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(R94, H. 3342) -- Reps. Hart and King: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17‑15‑175 SO AS TO PROVIDE THAT AFTER AN INITIAL APPEARANCE, A CIRCUIT COURT JUDGE MAY NOT ISSUE A BENCH WARRANT FOR FAILURE TO APPEAR UPON MOTION BY A SOLICITOR UNLESS THE SOLICITOR HAS POSTED CERTAIN NOTICE BEFORE THE BENCH WARRANT IS ISSUED AND TO PROVIDE AN EXCEPTION.

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(R95, H. 3378) -- Reps. Sandifer, Whitmire and Gambrell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑1‑90 SO AS TO ENACT THE “VOLUNTEER SERVICE PERSONNEL APPRECIATION ACT” AND TO ALLOW THE GOVERNING BODY OF A LOCAL GOVERNMENT TO AUTHORIZE THE DISTRIBUTION OF CERTAIN REWARDS TO THREE ENUMERATED CATEGORIES OF VOLUNTEER SERVICE PERSONNEL SO LONG AS ALL PERSONNEL IN A RESPECTIVE CATEGORY ARE TREATED EQUALLY.

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(R96, H. 3409) -- Reps. Sandifer and Bales: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑59‑25 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A PERSON MAY CANCEL A WRITTEN CONTRACT FOR ROOFING SYSTEMS GOODS AND SERVICES TO BE PAID FOR BY PROPERTY AND CASUALTY INSURANCE PROCEEDS IF COVERAGE IS SUBSEQUENTLY DENIED, TO SPECIFY APPLICABILITY OF THIS PROVISION TO CERTAIN PROVIDERS OF ROOFING SYSTEMS GOODS AND SERVICES, TO PROVIDE THE MANNER OF CANCELLATION, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO AMEND SECTION 40‑59‑110, RELATING TO BASES FOR REVOCATION, SUSPENSION, OR RESTRICTION OF CERTAIN LICENSEES OR REGISTRANTS BY THE RESIDENTIAL HOME BUILDERS COMMISSION, SO AS TO MAKE A RELATED CHANGE.

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(R97, H. 3451) -- Reps. Tallon, Cole, Forrester, Kennedy, Murphy, Pope, Rutherford and Weeks: AN ACT TO AMEND SECTION 56‑7‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSES THAT A PERSON MAY BE CHARGED ON A UNIFORM TRAFFIC TICKET, SO AS TO PROVIDE THAT THE OFFENSES OF SHOPLIFTING AND CRIMINAL DOMESTIC VIOLENCE FIRST OFFENSE AND SECOND OFFENSE MUST BE CHARGED ON A UNIFORM TRAFFIC TICKET, AND THAT A UNIFORM TRAFFIC TICKET MAY BE USED IN AN ARREST FOR CERTAIN MISDEMEANOR OFFENSES UNDER THE JURISDICTION OF THE MAGISTRATE COURT; AND TO AMEND SECTION 56-7-15, AS AMENDED, RELATING TO THE USE OF THE UNIFORM TRAFFIC TICKET BY A LAW ENFORCEMENT OFFICER TO MAKE AN ARREST, SO AS TO PROVIDE THAT THE OFFENSE MUST HAVE BEEN FRESHLY COMMITTED OR IS COMMITTED IN THE PRESENCE OF A LAW ENFORCEMENT OFFICER, AND TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO THE ARREST OF A PERSON WHO IS CHARGED WITH SHOPLIFTING.

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(R98, H. 3464) -- Reps. Allison, Brannon, Erickson, Bedingfield, Taylor, Kennedy, Clyburn, Anderson, G.A. Brown, Clemmons, H.A. Crawford, Douglas, Forrester, Goldfinch, Hamilton, Hardwick, Hixon, Horne, Hosey, Nanney, Pope, Powers Norrell, G.R. Smith, J.R. Smith, Stringer, Wood, Felder, Cobb‑Hunter and Gilliard: AN ACT TO AMEND SECTION 63‑7‑730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXPEDITED PLACEMENT OF A CHILD WITH RELATIVES AT THE PROBABLE CAUSE HEARING, SO AS TO ENCOURAGE PLACEMENT OF A CHILD WITH A GRANDPARENT OR OTHER RELATIVE OF THE FIRST OR SECOND DEGREE UNDER CERTAIN CIRCUMSTANCES; TO SET FORTH CRITERIA FOR THE COURT TO CONSIDER WHEN DECIDING WHETHER TO PLACE A CHILD WITH A GRANDPARENT OR OTHER RELATIVE OF THE FIRST OR SECOND DEGREE AT THE PROBABLE CAUSE HEARING; TO REQUIRE THE COURT TO CONSIDER A PARENT FOR PLACEMENT OF A CHILD AT THE PROBABLE CAUSE HEARING BEFORE CONSIDERING OTHER RELATIVES OF THE FIRST OR SECOND DEGREE IN CERTAIN CIRCUMSTANCES; AND TO PROVIDE THAT IF THE COURT PLACES A CHILD WITH A GRANDPARENT OR OTHER RELATIVE OF THE FIRST OR SECOND DEGREE AT THE PROBABLE CAUSE HEARING, THE INDIVIDUAL MAY BE ADDED AS A PARTY TO THE ACTION FOR THE DURATION OF THE CASE OR UNTIL FURTHER ORDER OF THE COURT.

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(R99, H. 3472) -- Reps. Owens, Harrell, Patrick, Gambrell, Taylor, Wells, Anthony, Mitchell, Cobb‑Hunter, Allison, Pitts, Daning, Wood and Southard: AN ACT TO AMEND SECTION 59‑40‑210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL AND THE REQUIREMENT THAT THE CONVERTED PRIVATE SCHOOL NOT BE ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS, SO AS TO PROVIDE THAT THE PROHIBITION AGAINST THE CONVERTED PRIVATE SCHOOL BEING ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS DOES NOT APPLY UNDER SPECIFIED CONDITIONS IF THE ENROLLMENT OF THE CONVERTED PRIVATE SCHOOL FOR THE MOST RECENTLY COMPLETED SCHOOL TERM BEFORE THE DATE OF THE PROPOSED CONVERSION REFLECTS THE RACIAL COMPOSITION OF THE LOCAL SCHOOL DISTRICT IN WHICH THE CONVERTED PRIVATE SCHOOL IS LOCATED; AND TO AMEND SECTION 59‑40‑100, AS AMENDED, RELATING TO THE CONVERSION TO A CHARTER SCHOOL, SO AS TO PROVIDE FOR THE MANNER IN WHICH CERTAIN SPECIAL PUBLIC SCHOOLS NOT ASSOCIATED WITH A PUBLIC SCHOOL DISTRICT MAY APPLY TO BECOME A PUBLIC CHARTER SCHOOL, AND TO PROVIDE THAT IF THE SPECIAL PUBLIC SCHOOL BECOMES A PUBLIC CHARTER SCHOOL, IT SHALL NOT BE DEEMED TO BE A CONVERTED CHARTER SCHOOL.

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(R100, H. 3502) -- Reps. Murphy, Vick, Goldfinch, K.R. Crawford, Harrell, Horne, M.S. McLeod and Owens: AN ACT TO AMEND SECTION 59‑121‑55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF FUNDS OR PROPERTY BY THE CITADEL BOARD OF VISITORS TO A NONPROFIT ELEEMOSYNARY CORPORATION ESTABLISHED BY THE BOARD AND KNOWN AS THE CITADEL FOUNDATION, SO AS TO REMOVE A LIMIT ON THE AMOUNT OF FUNDS AND PROPERTY THAT THE BOARD MAY TRANSFER TO THE CORPORATION, AND TO PROVIDE THE BOARD MAY TRANSFER FUNDS AND PROPERTY PRIVATELY DONATED TO THE COLLEGE, AND INCOME AND PROCEEDS DERIVED FROM THOSE FUNDS AND PROPERTY.

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(R101, H. 3505) -- Reps. Loftis, Bannister, Harrell, J.R. Smith, Brannon, Huggins, Kennedy, Ballentine, Cole, Hixon, McCoy, G.R. Smith, Hamilton, Tallon, Henderson, Forrester, Whipper and Hodges: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 44 TO TITLE 11 SO AS TO ENACT THE “HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013” BY PROVIDING FOR STATE NONREFUNDABLE INCOME TAX CREDITS FOR QUALIFIED INVESTMENTS IN BUSINESSES MEETING CERTAIN CRITERIA AND PRIMARILY ENGAGED IN SPECIFIED ACTIVITIES, TO ESTABLISH THE CRITERIA AND PROCEDURES FOR THE CREDIT, TO MAKE THE CREDIT TRANSFERABLE AND PROVIDE FOR LIMITATIONS ON AND REPORTING OF CERTAIN INFORMATION ON THE CREDITS, TO PROVIDE FOR CERTAIN ADJUSTED NET CAPITAL GAIN AND LOSS COMPUTATIONS FOR INVESTOR TAXPAYERS WHO RECOGNIZE SUCH A GAIN OR LOSS ON THE SALE OF CREDIT ASSETS AS DEFINED IN THIS CHAPTER, AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 44, TITLE 11 ARE REPEALED ON DECEMBER 31, 2019; AND TO AMEND SECTION 12‑54‑240, AS AMENDED, RELATING TO DISCLOSURE OF RECORDS, REPORTS, AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE EXCHANGE BETWEEN THE DEPARTMENT OF REVENUE AND THE SECRETARY OF STATE OF ANY INFORMATION THAT ASSISTS THE DEPARTMENT OF REVENUE OR THE SECRETARY OF STATE IN DETERMINING OR VERIFYING INFORMATION CONCERNING WHETHER A BUSINESS IS A QUALIFIED BUSINESS UNDER CHAPTER 44, TITLE 11.

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(R102, H. 3557) -- Reps. Cobb‑Hunter, White, Bannister, Rutherford, Harrell, Merrill, Simrill, Stavrinakis, Loftis, Horne, Weeks, Mitchell, Ott, Sellers, Hodges and Whipper: AN ACT TO AMEND SECTION 12‑6‑3375, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO EXPAND THE TYPES OF BUSINESSES THAT QUALIFY FOR THE CREDIT, TO GIVE THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT DISCRETION IN AWARDING CREDITS, TO FURTHER DEFINE TERMS, TO PROVIDE THAT TAXPAYERS ENGAGED IN THE MOVEMENT OF GOODS IMPORTED OR EXPORTED THROUGH SOUTH CAROLINA’S PORT FACILITIES MAY BE ELIGIBLE FOR THE CREDIT IF THE CARGO SUPPORTS A PRESENCE IN THE STATE AND MEETS OTHER JOB AND CAPITAL INVESTMENT REQUIREMENTS, AND TO PROVIDE THAT A TAXPAYER THAT FAILS TO MEET THE REQUIREMENTS OF THE CREDIT MUST REPAY A PRO RATA PORTION OF THE CREDIT.

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(R103, H. 3602) -- Reps. Weeks, Cobb‑Hunter, Clemmons, Pope, Kennedy, M.S. McLeod, Tallon, Murphy, Crosby, McCoy, Dillard, Long, Bowen, Munnerlyn, Sellers, Limehouse, Brannon, Gilliard, Bales, Barfield, Bowers, Branham, G.A. Brown, R.L. Brown, Daning, Delleney, Edge, Funderburk, Henderson, Horne, Howard, Huggins, Jefferson, Loftis, Lowe, W.J. McLeod, Merrill, D.C. Moss, Norman, Powers Norrell, Quinn, Sandifer, Simrill, G.M. Smith, Spires, Taylor, Wells, Whipper, Wood, Newton, Riley, Anderson and Erickson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑13‑131 SO AS TO CREATE OFFENSES RELATING TO STEALING GOODS OR MERCHANDISE FROM A MERCHANT BY CREATING OR AFFIXING A PRODUCT CODE AND TO PROVIDE GRADUATED PENALTIES; BY ADDING SECTION 16‑13‑135 SO AS TO DEFINE NECESSARY TERMS, CREATE OFFENSES RELATING TO RETAIL THEFT, AND TO PROVIDE GRADUATED PENALTIES; TO AMEND SECTION 16‑13‑440, RELATING TO THE USE OF A FALSE OR FICTITIOUS NAME OR ADDRESS TO OBTAIN A REFUND FROM A BUSINESS ESTABLISHMENT FOR MERCHANDISE, SO AS TO INCLUDE USING A FALSE OR ALTERED DRIVER’S LICENSE OR IDENTIFICATION CARD TO COMMIT CERTAIN RETAIL THEFT OFFENSES; TO AMEND SECTION 17‑25‑323, RELATING TO DEFAULT ON COURT‑ORDERED PAYMENTS INCLUDING RESTITUTION BY PERSONS ON PROBATION OR PAROLE AND CIVIL JUDGMENTS AND LIENS, SO AS TO INCLUDE DEFENDANTS WHO DEFAULT ON THE VARIOUS MAGISTRATES OR MUNICIPAL COURT‑ORDERED PAYMENTS INCLUDING RESTITUTION IN THE PURVIEW OF THE STATUTE AND TO PROVIDE THAT A FILING FEE OR OTHER FEE MAY NOT BE REQUIRED WHEN SEEKING A CIVIL JUDGMENT; TO AMEND SECTION 14‑25‑65, AS AMENDED, RELATING TO PENALTIES THE MAGISTRATES COURT MAY IMPOSE, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT‑ORDERED PAYMENTS TO A CIVIL JUDGMENT; TO AMEND SECTION 22‑3‑550, AS AMENDED, RELATING TO THE JURISDICTION OF THE MAGISTRATES COURT OVER MINOR OFFENSES, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT‑ORDERED PAYMENTS TO A CIVIL JUDGMENT; AND TO AMEND SECTION 16-13-180, AS AMENDED, RELATING TO RECEIVING STOLEN GOODS, SO AS TO INCLUDE RECEIVING OR POSSESSING STOLEN GOODS FROM AN AGENT OF A LAW ENFORCEMENT AGENCY AND TO REVISE THE PENALTIES FOR THE OFFENSE.

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(R104, H. 3632) -- Reps. G.M. Smith, White, Sandifer, J.R. Smith, Bannister and Lucas: AN ACT TO AMEND SECTION 42‑5‑190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAINTENANCE TAX IMPOSED BY THE WORKERS’ COMPENSATION COMMISSION ON SELF INSURERS, SO AS TO PROVIDE THAT THE COMMISSION SHALL RETAIN A PORTION OF THE ANNUAL MAINTENANCE TAX REVENUE TO PAY THE SALARIES AND EXPENSES OF THE COMMISSION, TO PROVIDE THAT THE COMMISSION SHALL RETAIN ONE‑HALF OF THE INTEREST CHARGED ON DELINQUENT MAINTENANCE TAX FOR THE SAME PURPOSE, AND TO PROVIDE DURATION PROVISIONS AND REPORTING REQUIREMENTS.

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(R105, H. 3735) -- Reps. Goldfinch, Hardwick, H.A. Crawford, Huggins, Hardee, Clemmons, Vick, Finlay, Chumley, Hamilton, Herbkersman, Hiott, Hixon, V.S. Moss, Owens, Pitts, Sottile, Wells, Wood, Powers Norrell, Knight and McCoy: AN ACT TO AMEND SECTION 50‑5‑2730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE’S ADOPTION OF CERTAIN FEDERAL LAWS AND REGULATIONS THAT REGULATE THE TAKING OF FISH IN STATE WATERS, SO AS TO PROVIDE THAT THESE LAWS AND REGULATIONS DO NOT APPLY TO BLACK SEA BASS (CENTROPRIATES STRIATA), TO PROVIDE A LAWFUL CATCH LIMIT AND SIZE FOR THIS SPECIES OF FISH, AND TO PROVIDE THAT THERE IS NO CLOSED SEASON ON THE CATCHING OF BLACK SEA BASS (CENTROPRIATES STRIATA).

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(R106, H. 3752) -- Rep. Patrick: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “EXPANDED VIRTUAL LEARNING ACT”; TO AMEND SECTION 59‑16‑15, RELATING TO THE SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, SO AS TO RESTYLE THE PROGRAM AS A VIRTUAL EDUCATION PROGRAM AND TO REMOVE LIMITS ON THE NUMBER OF ONLINE CREDITS A STUDENT MAY BE AWARDED UNDER THE PROGRAM; AND TO AMEND SECTION 59‑40‑65, RELATING TO ENROLLMENT OF CHARTER SCHOOL STUDENTS IN THE SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, SO AS TO MAKE A CONFORMING CHANGE.

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(R107, H. 3870) -- Reps. Gambrell, Bowen, D.C. Moss, Gagnon, Putnam, Sandifer and White: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑49‑65 SO AS TO PROVIDE IN THE “FIREFIGHTER MOBILIZATION ACT OF 2000” THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED) HAS SPECIFIC AND EXCLUSIVE JURISDICTION ON BEHALF OF THE STATE IN MATTERS PERTAINING TO THE RESPONSE TO AND CRISIS MANAGEMENT OF ACTS OF TERRORISM AND EMERGENCY EVENT MANAGEMENT OF EXPLOSIVE DEVICES; TO AMEND SECTION 23‑49‑20, RELATING TO THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION OVERSIGHT COMMITTEE, SO AS TO ADD THE CHIEF OF SLED TO THE COMMITTEE AND TO CORRECT OBSOLETE REFERENCES; TO AMEND SECTION 23‑49‑50, RELATING TO THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION PLAN, SO AS TO RENAME THE COMMITTEE AS THE SOUTH CAROLINA FIREFIGHTER MOBILIZATION AND EMERGENCY RESPONSE TASK FORCE PLAN, TO ADD THE TASK FORCE TO THOSE RESOURCES THAT THE PLAN IS INTENDED TO OFFER, AND TO PROVIDE THE PLAN IS OPERATIONAL WHEN THE CHIEF OF SLED DIRECTS A RESPONSE TO A TERRORIST OR EXPLOSIVE DEVICE EVENT; TO AMEND SECTION 23‑49‑60, RELATING TO THE DUTIES OF THE COMMITTEE, SO AS TO PROVIDE THE COMMITTEE SHALL DEVELOP GUIDELINES FOR USING RESOURCES ALLOCATED TO THE TASK FORCE AT THE STATE AND REGIONAL LEVEL; TO AMEND SECTION 23‑49‑70, RELATING TO STATE AND REGIONAL COORDINATORS APPOINTED BY THE COMMITTEE TO EXECUTE THE PLAN, SO AS TO MAKE A CONFORMING CHANGE TO THE NAME OF THE PLAN, TO REQUIRE THE OFFICE OF STATE FIRE MARSHAL TO PROVIDE ADMINISTRATIVE SUPPORT AS REQUIRED BY THE COMMITTEE TO PERFORM ITS PRESCRIBED FUNCTIONS, AND TO PROVIDE THAT THE STATE COORDINATOR APPOINTED BY THE COMMITTEE SHALL REPORT TO THE STATE FIRE MARSHAL AND PROVIDE ADMINISTRATIVE SUPPORT TO THE COMMITTEE; TO AMEND SECTION 23‑49‑80, RELATING TO INFORMATION REQUIRED OF THE SOUTH CAROLINA STATE FIREMEN’S ASSOCIATION, SO AS TO CORRECT OBSOLETE LANGUAGE; AND TO AMEND SECTION 23‑49‑110, RELATING TO DEFINITIONS, SO AS TO DEFINE ADDITIONAL TERMS.

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(R108, H. 3944) -- Reps. Goldfinch, Hardwick and H.A. Crawford: AN ACT TO AMEND SECTION 4‑23‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF FIRE CONTROL FOR THE MURRELL’S INLET ‑ GARDEN CITY FIRE DISTRICT IN GEORGETOWN AND HORRY COUNTIES, SO AS TO PROVIDE THAT THE MEMBERS OF THAT BOARD REPRESENTING GEORGETOWN COUNTY MUST BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE GEORGETOWN COUNTY LEGISLATIVE DELEGATION NOTWITHSTANDING THE PROVISIONS OF ACT 515 OF 1996 DEVOLVING THAT APPOINTMENT AUTHORITY ON THE GOVERNING BODY OF GEORGETOWN COUNTY AND TO DELETE OBSOLETE LANGUAGE.

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(R109, H. 3956) -- Reps. Horne and Whipper: AN ACT TO AMEND SECTION 61‑6‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE ALCOHOLIC BEVERAGE CONTROL ACT, SO AS TO REVISE THE DEFINITION OF “FURNISHING LODGING” TO PROVIDE FOR AT LEAST EIGHTEEN INSTEAD OF TWENTY ROOMS THAT A BUSINESS MUST OFFER FOR ACCOMMODATIONS ON A REGULAR BASIS.

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(R110, H. 3960) -- Rep. Sandifer: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑41‑35 SO AS TO REQUIRE AN EMPLOYER WHO PARTICIPATES IN A MULTIPLE EMPLOYER SELF‑INSURED HEALTH PLAN TO EXECUTE HOLD HARMLESS AGREEMENTS IN WHICH THE EMPLOYER AGREES TO PAY ALL UNPAID PORTIONS OF INSURED CLAIMS, TO REQUIRE THESE AGREEMENTS MUST BE MADE ON CERTAIN FORMS THAT THE DEPARTMENT OF INSURANCE SHALL PROVIDE, AND TO IMPOSE CERTAIN RELATED RESPONSIBILITIES ON THE EMPLOYER AND INSURER; AND TO AMEND SECTION 38‑41‑50, AS AMENDED, RELATING TO STOP‑LOSS COVERAGE IN MULTIPLE EMPLOYER SELF‑INSURED PLANS, SO AS TO REVISE THE REQUIREMENTS FOR DETERMINING POLICY COVERAGE LIMITS, AND TO REQUIRE A PARTICIPATING EMPLOYER’S FUND FOR AN EXCESS STOP‑LOSS POLICY.

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(R111, H. 3962) -- Reps. Pitts, Parks and Riley: AN ACT TO AMEND SECTION 7‑7‑290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO ADD CERTAIN PRECINCTS AND TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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(R112, H. 3971) -- Reps. Stringer and Willis: AN ACT TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HOSPITAL SYSTEM, SO AS TO, AMONG OTHER THINGS, RENAME THE SYSTEM THE GREENVILLE HEALTH SYSTEM; TO AUTHORIZE AN INCREASE IN BOARD MEMBERS UP TO SEVENTEEN, TO ESTABLISH PROCEDURES FOR EFFECTING SUCH INCREASE, TO REVISE HOUSE OF REPRESENTATIVES DISTRICTS FROM WHICH MEMBERS MUST BE APPOINTED, TO FURTHER REVISE MEMBER RESIDENCY REQUIREMENTS, TO REVISE TERMS FOR MEMBERS FROM SIX YEARS TO THREE YEARS, TO AUTHORIZE A MEMBER TO SERVE TWO TERMS, TO PROVIDE FOR STAGGERED TERMS, TO REVISE THE NOMINATION AND APPOINTMENT PROCESS, AND TO PROVIDE THAT THE BOARD IS COMMITTED TO MAINTAINING A DIVERSE BOARD; TO AUTHORIZE THE GREENVILLE HEALTH SYSTEM TO AMEND ITS NAME WITH INPUT FROM THE LEGISLATIVE DELEGATION, TO INCLUDE COMMUNITY AND PROFESSIONAL REPRESENTATIVES ON BOARD COMMITTEES, TO FURTHER SPECIFY HEALTH PROFESSIONALS FOR WHOM TEACHING PROGRAMS MAY BE PROVIDED AND TO WHOM FACILITY REGULATIONS APPLY, TO FURTHER SPECIFY PROVIDING FREE SERVICES TO COMMUNITY RESIDENTS, TO CONTRACT DIRECTLY WITH INSURERS AND EMPLOYERS TO PROVIDE HEALTH CARE ON A POPULATION RISK OR AN EPISODIC BASIS, TO DELETE CERTAIN DISPOSAL OF PROPERTY PROVISIONS, TO CONDUCT INVESTIGATIONS INTO HEALTH CONDITIONS AND NEEDS, TO ENTER INTO AGREEMENTS WITH HEALTH CARE PROVIDERS FOR SHARING OR FURNISHING SERVICES AND FOR MANAGEMENT OF FACILITIES OR FOR REDUCING DUPLICATIVE SERVICES; TO FURTHER CLARIFY UNCONTESTABLE BOND PROVISIONS; TO FURTHER PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF THE GREENVILLE HEALTH SYSTEM POLICE DEPARTMENT; TO MAKE TECHNICAL CORRECTIONS; TO CONFORM THE PROVISIONS OF ACT 432 WITH THE CHANGE IN THE SYSTEM’S NAME; AND TO REPEAL CERTAIN SECTIONS OF ACT 432 OF 1947 AND TO REPEAL ACT 1013 OF 1948, ACTS 555 AND 558 OF 1961, ACT 1286 OF 1966, AND ACT 744 OF 1967 ALL RELATING TO THE GREENVILLE HOSPITAL SYSTEM.

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(R113, H. 3974) -- Reps. Loftis, Brannon, Burns, Erickson, Bannister, Barfield, Hamilton, Harrell, Henderson, Hosey, Murphy, G.M. Smith, G.R. Smith and J.R. Smith: AN ACT TO AMEND SECTION 12‑54‑240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISCLOSURE OF RECORDS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO ALLOW THE DISCLOSURE OF CERTAIN INFORMATION TO THE SECRETARY OF STATE ABOUT A TAXPAYER WHO FILED AN INITIAL OR FINAL CORPORATE RETURN; AND BY ADDING SECTION 12‑58‑165 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO EXPUNGE THE RECORDING OF A LIEN ONCE THE LIEN IS FULLY PAID AND SATISFIED.

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(R114, H. 4133) -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF COSMETOLOGY, RELATING TO REQUIREMENTS OF LICENSURE IN THE FIELD OF COSMETOLOGY (EDUCATIONAL REQUIREMENTS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4336, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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(R115, H. 4192) -- Reps. Merrill, Crosby, Daning, Jefferson, Rivers and Southard: AN ACT 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 AN EXISTING PRECINCT, TO ADD FOUR PRECINCTS, TO DELETE AN OBSOLETE REFERENCE, 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.

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(R116, H. 4204) -- Rep. Delleney: AN ACT TO AMEND SECTION 7‑7‑170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN CHESTER COUNTY, SO AS TO REDESIGNATE CERTAIN PRECINCTS, TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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(R117, H. 4216) -- Reps. Bales, Ballentine and Neal: AN ACT TO AMEND SECTION 7‑7‑465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN RICHLAND COUNTY, SO AS TO REVISE AND ADD CERTAIN PRECINCTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES AND PRECINCT LINES OF THESE PRECINCTS MAY BE FOUND AS MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, TO CORRECT REFERENCES, AND TO PROVIDE FOR ALTERNATE PRECINCT POLLING PLACES UNDER SPECIFIED CONDITIONS.

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**Leave of Absence**

On motion of Senator SETZLER, at 12:05 P.M., Senator RANKIN was granted a leave of absence for the week.

**Call of the Senate**

At 12:12 P.M., Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Johnson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointments**

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2009, and to expire April 1, 2014

At-Large:

Barbara Jeanne Devinney, 170 Tara Drive, McCormick, SC 29835

Referred to the Committee on Education.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2013, and to expire April 1, 2018

At-Large:

Ted O. McGee, 171 Morgan Dr., Lexington, SC 29072 *VICE* W. Joshua Brown

Referred to the Committee on Education.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2013, and to expire April 1, 2018

At-Large:

Felicia Sampson Preston, 1085 Shop Rd., Columbia, SC 29201 *VICE* Ms. Patricia Stoner

Referred to the Committee on Education.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2013, and to expire April 1, 2018

At-Large:

Patricia Sara Silva, 1726 Carolina Dr., Aiken, SC 29801 *VICE* Rosalind Neal

Referred to the Committee on Education.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2011, and to expire April 1, 2016

At-Large:

Donna Moore Wesby, 112 Indian Creek Trail, Aiken, SC 29803 *VICE* Mary G. Daniel Wyatt

Referred to the Committee on Education.

**Local Appointments**

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Joshua R. Edwards, 907 Cypress Court, Hartsville, SC 29550 *VICE* Honorable Glenn M. Bell

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Denise B. Windham, Post Office Box 233, 1308 West Main Street, Lamar, SC 29069 *VICE* Honorable Glenn M. Bell

Reappointment, Lee County Master-in-Equity, with the term to commence December 31, 2013, and to expire December 31, 2019

Stephen B. Doby, Post Office Box 106, Bishopville, SC 29010

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

John Joseph Kesler, 454 Moore’s Crossing, Roebuck, SC 29376 *VICE* New (part time)

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sent the following veto to the Senate:

(R88, S707) -- Senator Lourie: AN ACT TO PROVIDE FOR THE AUTHORITY OF THE CITY OF COLUMBIA TO APPOINT AND COMMISSION FIREFIGHTERS TO SERVE AS A CERTIFIED LAW ENFORCEMENT OFFICER FOR CERTAIN LIMITED PURPOSES WITH THE FULL POWERS OF A CERTIFIED LAW ENFORCEMENT OFFICER AND TO REQUIRE FIREFIGHTERS TO MEET CERTAIN QUALIFICATIONS TO BE COMMISSIONED AS A CERTIFIED LAW ENFORCEMENT OFFICER.

Respectfully submitted,

Speaker of the House

Received as information.

The veto was ordered placed on the Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

**LOCAL APPOINTMENT**

Reappointment, Lee County Master-in-Equity, with the term to commence December 31, 2013, and to expire December 31, 2019

Stephen B. Doby, Post Office Box 106, Bishopville, SC 29010

Very respectfully,

Speaker of the House

Received as information.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 789 -- Senators Setzler, Courson, Lourie, L. Martin, Peeler, Sheheen, Hutto, McGill, Matthews, Jackson, Rankin, Hayes, Grooms, Alexander, Fair, O'Dell, Bryant, Verdin, Malloy, Scott, Campbell, Cromer, Cleary, Coleman, Campsen, Pinckney, Reese, Gregory, Massey, Nicholson, Williams, Davis, Bright, S. Martin, Shealy, Bennett, Corbin, Hembree, Thurmond, Johnson, McElveen, Allen, Turner, Leatherman and Young: A SENATE RESOLUTION TO HONOR AND COMMEND MRS. JOYCE REID OF COLUMBIA FOR HER THIRTY-FIVE YEARS OF EXTRAORDINARY AND DEVOTED SERVICE TO THE SOUTH CAROLINA SENATE, MOST RECENTLY AS JOURNAL CLERK, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

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Whereas, after thirty‑five years of outstanding service to the people of the Palmetto State, Mrs. Joyce Reid of Columbia will retire on December 16, 2013, from her present post as South Carolina Senate Journal Clerk; and

Whereas, beginning her state service in October 1978 armed with a bachelor’s degree from the University of Texas, her ever‑present smile, and outrageously fast typing skills, Joyce joined the staff of the South Carolina Senate as legislative secretary to Senator Heyward McDonald; and

Whereas, during her years working with the Senate, she also served in the offices of Senators Alex Sanders and I. DeQuincey Newman, Senate Clerks Jim Fields and Frank Caggiano, and Assistant Clerks Mike Ey, Bob Toomey, and Hogan Brown; and

Whereas, for the past twenty‑five years, thirteen of which working with current Senate Clerk Jeffrey Gossett and Assistant Clerk Michael Hitchcock, Joyce has been a stabilizing force on the Senate Desk, overseeing the creation of the Senate Journal and maintaining order with the occasional flash of her favorite long‑blade scissors; and

Whereas, Joyce gained valuable private‑sector experience with the law firm of Heyward McDonaldbefore transitioning with him upon his election to the Senate. This move may have been the beginning of her trademark meticulousness. She will confess to being a stickler over even the tiniest of details, an admission well supported by the many notes she creates in order to finalize every well‑organized task; and Whereas, because of her strong community spirit, Joyce dedicates countless hours every year to the South Carolina State Fair and is an active member of Spring Valley Presbyterian Church, where she participates in numerous ministries such as singing in the choir and playing handbells. She is also quite an accomplished painter, having created and displayed many beautiful works of art; and

Whereas, Joyce and her husband, Flay Reid, are the proud parents of three girls, Shanna, Beth, and Susan,who have given their parents the joy of five delightful grandchildren, Anna, Jordan, Garrett, Kassidy, and Brooke; and

Whereas, the Senate, grateful for the legacy of consistent commitment and excellence Joyce Reid has bestowed on this great body, extends warmest thanks for her more than three decades of service. The members take much pleasure in wishing her well in her retirement and trust she will find much enjoyment in her art, her grandchildren, and along the links of her favorite golf course. Now, therefore,

Be it resolved by the Senate:

That the members of the South Carolina Senate, by this resolution, honor and commend Mrs. Joyce Reid of Columbia for her thirty‑five years of extraordinary and devoted service to the South Carolina Senate, most recently as Journal Clerk, congratulate her on the occasion of her retirement, and wish her much happiness and fulfillment in all her future endeavors.

Be it further resolved that a copy of this resolution be presented to Mrs. Joyce Reid.

The Senate Resolution was adopted.

**Privilege of the Floor**

On motion of Senator SETZLER, with unanimous consent and pursuant to the provisions of Rule 35B, the Privilege of the Floor was extended to Mrs. Joyce Reid upon the occasion of her retirement from the South Carolina Senate after 35 years.

Senators SETZLER, LOURIE and LARRY MARTIN were recognized for brief remarks.

S. 790 -- Senator Grooms: A SENATE RESOLUTION TO CONGRATULATE THEODORE AND JEAN J. WILLIAMS WRIGHT OF GOOSE CREEK ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT.

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The Senate Resolution was adopted.

S. 791 -- Senator Matthews: A SENATE RESOLUTION TO CONGRATULATE WILLIAM P. “BILL” HAMILTON, SOUTH CAROLINA STATE UNIVERSITY SPORTS INFORMATION DIRECTOR, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS FORTY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 792 -- Senators Campsen, Campbell and Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MR. O.L. THOMPSON FOR HIS SUCCESSFUL LEADERSHIP AS CHAIRMAN OF SANTEE COOPER DURING ONE OF THE MOST TURBULENT TIMES SINCE THE GREAT DEPRESSION AND FOR HIS LONG HISTORY OF SERVICE TO THE PALMETTO STATE, AND TO WISH HIM CONTINUED ACHIEVEMENT IN HIS FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 793 -- Senators Cromer and Shealy: A SENATE RESOLUTION TO CONGRATULATE BILLYE AND PEGGIE WEST OF NEWBERRY ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT.

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The Senate Resolution was adopted.

S. 794 -- Senator Hutto: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE BOY SCOUT RYAN JOSEPH OTT, UPON RECEIVING THE AMERICAN LEGION 2013 SOUTH CAROLINA BOY SCOUT OF THE YEAR AWARD, AND TO COMMEND HIM FOR HIS HEROIC ACTIONS ON JULY 13, 2012, WHEN HE TENDED TO HIS INJURED FRIENDS AND RUSHED FOR HELP FOR HIS FELLOW BOY SCOUTS.

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The Senate Resolution was adopted.

S. 795 -- Senator Pinckney: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE DEATH OF IDA MAGWOOD MARTIN OF BLUFFTON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

H. 4315 -- Reps. Wells, Clyburn, Hixon, J. R. Smith, Taylor, 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, 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, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Thayer, Toole, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE W. COTHRAN “COT” CAMPBELL, PRESIDENT OF AIKEN'S DOGWOOD STABLE, ON THE IMPRESSIVE FIRST-PLACE WIN OF PALACE MALICE, “AIKEN’S HORSE” AND THE PRIDE OF DOGWOOD STABLE, IN THE 145TH RUNNING OF THE PRESTIGIOUS BELMONT STAKES.

The Concurrent Resolution was adopted, ordered returned to the House.

**HOUSE CONCURRENCE**

The following Resolution was returned from the House with concurrence and received as information:

S. 792 -- Senators Campsen and Campbell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MR. O.L. THOMPSON FOR HIS SUCCESSFUL LEADERSHIP AS CHAIRMAN OF SANTEE COOPER DURING ONE OF THE MOST TURBULENT TIMES SINCE THE GREAT DEPRESSION AND FOR HIS LONG HISTORY OF SERVICE TO THE PALMETTO STATE, AND TO WISH HIM CONTINUED ACHIEVEMENT IN HIS FUTURE ENDEAVORS.

**RECESS**

At 12:55 P.M., on motion of Senator COURSON, the Senate receded from business until 3:00 P.M.

**AFTERNOON SESSION**

The Senate reassembled at 3:08 P.M. and was called to order by the PRESIDENT.

**Point of Quorum**

At 3:08 P.M., Senator LARRY MARTIN made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

Senator LARRY MARTIN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Reese Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

A quorum being present, the Senate resumed.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained the veto by the Governor on R72, H. 3907 by a vote of 6 to 98:

(R72, H3907) -- Reps. Willis, Owens, Stringer, Daning, Brannon, Rivers, Kennedy, King, Mitchell, Putnam, Wells and Wood: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 1, TITLE 56 SO AS TO AUTHORIZE THE DEPARTMENT OF MOTOR VEHICLES TO ACCEPT UNCERTIFIED CHECKS FOR PAYMENT FOR PRODUCTS OR SERVICES ISSUED BY THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT MAY REFUSE TO PROVIDE A PERSON ANY PRODUCT OR SERVICE, EXCEPT AN IDENTIFICATION CARD, UNTIL THE PERSON HAS PAID ALL FEES OWED THE DEPARTMENT AS A RESULT OF A RETURNED CHECK, TO PROVIDE THAT THE DEPARTMENT MAY CHARGE A FEE SPECIFIED IN SECTION 34‑11‑70 TO COVER THE COSTS ASSOCIATED WITH THE COLLECTION OF FEES, TO PROVIDE THAT THESE PROVISIONS SHALL NOT INTERFERE WITH A BONA FIDE SALE OF A MOTOR VEHICLE BY A DEALER, TO PROVIDE THAT THE DEPARTMENT MAY CHARGE A PROCESSING FEE FOR THE USE OF CREDIT CARDS, AND TO PROVIDE THAT ALL PROCESSING FEES COLLECTED PURSUANT TO THIS ARTICLE MUST BE PLACED IN A SPECIAL RESTRICTED ACCOUNT TO BE USED BY THE DEPARTMENT TO DEFRAY ITS COSTS.

Very respectfully,

Speaker of the House

Received as information.

**RECESS**

At 3:15 P.M., on motion of Senator COURSON, the Senate receded from business until 3:30 P.M.

At 3:46 P.M., the Senate resumed.

**Report of the Committee of Conference**

**H. 3710--GENERAL APPROPRIATIONS BILL**

Senator LEATHERMAN was recognized to give a Report of the Committee of Conference on H. 3710 to the Senate.

Senator LEATHERMAN moved under Rule 24B to include Proviso 34.14, Department of Health and Environmental Control (DHEC), Medicaid Nursing Home Bed Days, in the Conference Report.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

**Total--0**

The Senate agreed to include Proviso 34.14 in the Report of the Committee of Conference.

Senator LEATHERMAN moved under Rule 24B to include Proviso 117.136, Data Breach Notification, in the Conference Report.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 42; Nays 2**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Malloy Massey

**Total--2**

The Senate agreed to include Proviso 117.136 in the Report of the Committee of Conference.

Senator LEATHERMAN moved under Rule 24B to include Proviso 45.6, Clemson University - PSA, Fertilizer Inspection Fee, in the Conference Report.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 38; Nays 6**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Setzler Shealy

Sheheen Turner Verdin

Williams Young

**Total--38**

**NAYS**

Bright Bryant Corbin

Davis *Martin, Shane* Thurmond

**Total--6**

The Senate agreed to include Proviso 45.6 in the Report of the Committee of Conference.

Senator LEATHERMAN moved under Rule 24B to include Proviso 118.5, Criminal Justice Academy Funding, in the Conference Report.

The Senate agreed to include Proviso 118.5 in the Report of the Committee of Conference.

Senator LEATHERMAN moved under Rule 24B to include Proviso 11.15, Higher Education Excellence Enhancement Program Additions, in the Conference Report.

Senator MATTHEWS, with unanimous consent, addressed the Senate with brief remarks.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 33; Nays 11**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Leatherman

Lourie *Martin, Larry Martin, Shane*

O'Dell Peeler Reese

Scott Shealy Turner

Verdin Williams Young

**Total--33**

**NAYS**

Hutto Malloy Massey

Matthews McElveen McGill

Nicholson Pinckney Setzler

Sheheen Thurmond

**Total--11**

The Senate agreed to include Proviso 11.15 in the Report of the Committee of Conference.

Senator LEATHERMAN spoke on the report.

**THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**RECESS**

At 4:56 P.M., on motion of Senator COURSON, the Senate receded from business until 5:15 P.M.

At 5:15 P.M., the Senate resumed.

**H. 3717--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

H. 3717 -- Reps. Quinn, Bannister, Allison, Sandifer, Sellers, Clemmons, Ballentine, Atwater, Toole, Kennedy, Vick, Erickson, Long, Bernstein, Munnerlyn, Horne, Funderburk, Brannon, Henderson, Wood, Dillard, M.S. McLeod, Whipper and R.L. Brown: A BILL TO AMEND SECTION 16‑3‑1700, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE OFFENSES OF HARASSMENT AND STALKING, SO AS TO INCLUDE IN THE PURVIEW OF THE OFFENSES PERSONS WHO COMMIT THE OFFENSES WHILE SUBJECT TO THE TERMS OF A RESTRAINING ORDER ISSUED BY THE FAMILY COURT; AND TO AMEND SECTIONS 16‑3‑1710, 16‑3‑1720, AND 16‑3‑1730, ALL AS AMENDED, RELATING TO PENALTIES FOR HARASSMENT IN THE SECOND DEGREE, HARASSMENT IN THE FIRST DEGREE, AND STALKING, RESPECTIVELY, ALL SO AS TO INCLUDE PERSONS SUBJECT TO A RESTRAINING ORDER ISSUED BY THE FAMILY COURT.

On motion of Senator MASSEY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator MASSEY explained the Conference Report.

The question then was adoption of the Report of the Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

The Report of the Committee of Conference was adopted as follows:

**H. 3717--Conference Report**

The General Assembly, Columbia, S.C., June 18, 2013

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3717 -- Reps. Quinn, Bannister, Allison, Sandifer, Sellers, Clemmons, Ballentine, Atwater, Toole, Kennedy, Vick, Erickson, Long, Bernstein, Munnerlyn, Horne, Funderburk, Brannon, Henderson, Wood, Dillard, M.S. McLeod, Whipper and R.L. Brown: A BILL TO AMEND SECTION 16‑3‑1700, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE OFFENSES OF HARASSMENT AND STALKING, SO AS TO INCLUDE IN THE PURVIEW OF THE OFFENSES PERSONS WHO COMMIT THE OFFENSES WHILE SUBJECT TO THE TERMS OF A RESTRAINING ORDER ISSUED BY THE FAMILY COURT; AND TO AMEND SECTIONS 16‑3‑1710, 16‑3‑1720, AND 16‑3‑1730, ALL AS AMENDED, RELATING TO PENALTIES FOR HARASSMENT IN THE SECOND DEGREE, HARASSMENT IN THE FIRST DEGREE, AND STALKING, RESPECTIVELY, ALL SO AS TO INCLUDE PERSONS SUBJECT TO A RESTRAINING ORDER ISSUED BY THE FAMILY COURT.

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:

/ SECTION 1. Section 16‑3‑1700 of the 1976 Code, as last amended by Act 106 of 2005, is further amended by adding an appropriately numbered subsection at the end to read:

“( ) A person who commits the offense of harassment in any degree or stalking, as defined in this section, while subject to the terms of a restraining order issued by the family court may be charged with a violation of this article and, upon conviction, may be sentenced pursuant to the provisions of Section 16‑3‑1710, 16‑3‑1720, or 16‑3‑1730.”

SECTION 2. Section 16‑3‑1710(B) of the 1976 Code, as last amended by Act 106 of 2005, is further amended to read:

“(B) A person convicted of harassment in the second degree is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars, imprisoned not more than one year, or both if:

(1) the person has a prior conviction of harassment or stalking within the preceding ten years; or

(2) at the time of the harassment an injunction or restraining order, including a restraining order issued by the family court, was in effect prohibiting the harassment.”

SECTION 3. Section 16‑3‑1720(B) of the 1976 Code, as last amended by Act 106 of 2005, is further amended to read:

“(B) A person who engages in harassment in the first degree when an injunction or restraining order, including a restraining order issued by the family court, is in effect prohibiting this conduct is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars, imprisoned not more than three years, or both.”

SECTION 4. Section 16‑3‑1730(B) of the 1976 Code, as last amended by Act 106 of 2005, is further amended to read:

“(B) A person who engages in stalking when an injunction or restraining order, including a restraining order issued by the family court, is in effect prohibiting this conduct is guilty of a felony and, upon conviction, must be fined not more than seven thousand dollars, imprisoned not more than ten years, or both.”

SECTION 5. Section 20‑4‑60 of the 1976 Code, as last amended by Act 319 of 2008, is further amended by adding at the end:

“(F) If mutual orders of protection have been entered that do not comply with the provisions of this section a petitioner may request the order be vacated and all records of the order be destroyed.”

SECTION 6. Section 16‑3‑1760 of the 1976 Code, as last amended by Act 106 of 2005, is further amended by adding at the end:

“(E) Upon motion of a party, the court may determine that a temporary restraining order was improperly issued due to unknown facts. The court may order the temporary restraining order vacated and all records of the improperly issued restraining order destroyed.”

SECTION 7. This act takes effect upon approval by the Governor./

Amend title to conform.

/s/Sen. A. Shane Massey /s/Rep. Bruce W. Bannister

/s/Sen. Creighton B. Coleman /s/Rep. Leonidas E. Stavrinakis

/s/Sen. Paul Thurmond /s/Rep. Rick Quinn

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

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3717 -- Reps. Quinn, Bannister, Allison, Sandifer, Sellers, Clemmons, Ballentine, Atwater, Toole, Kennedy, Vick, Erickson, Long, Bernstein, Munnerlyn, Horne, Funderburk, Brannon, Henderson, Wood, Dillard, M.S. McLeod, Whipper and R.L. Brown: A BILL TO AMEND SECTION 16‑3‑1700, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE OFFENSES OF HARASSMENT AND STALKING, SO AS TO INCLUDE IN THE PURVIEW OF THE OFFENSES PERSONS WHO COMMIT THE OFFENSES WHILE SUBJECT TO THE TERMS OF A RESTRAINING ORDER ISSUED BY THE FAMILY COURT; AND TO AMEND SECTIONS 16‑3‑1710, 16‑3‑1720, AND 16‑3‑1730, ALL AS AMENDED, RELATING TO PENALTIES FOR HARASSMENT IN THE SECOND DEGREE, HARASSMENT IN THE FIRST DEGREE, AND STALKING, RESPECTIVELY, ALL SO AS TO INCLUDE PERSONS SUBJECT TO A RESTRAINING ORDER ISSUED BY THE FAMILY COURT.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of 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:

H. 3717 -- Reps. Quinn, Bannister, Allison, Sandifer, Sellers, Clemmons, Ballentine, Atwater, Toole, Kennedy, Vick, Erickson, Long, Bernstein, Munnerlyn, Horne, Funderburk, Brannon, Henderson, Wood, Dillard, M.S. McLeod, Whipper and R.L. Brown: A BILL TO AMEND SECTION 16‑3‑1700, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE OFFENSES OF HARASSMENT AND STALKING, SO AS TO INCLUDE IN THE PURVIEW OF THE OFFENSES PERSONS WHO COMMIT THE OFFENSES WHILE SUBJECT TO THE TERMS OF A RESTRAINING ORDER ISSUED BY THE FAMILY COURT; AND TO AMEND SECTIONS 16‑3‑1710, 16‑3‑1720, AND 16‑3‑1730, ALL AS AMENDED, RELATING TO PENALTIES FOR HARASSMENT IN THE SECOND DEGREE, HARASSMENT IN THE FIRST DEGREE, AND STALKING, RESPECTIVELY, ALL SO AS TO INCLUDE PERSONS SUBJECT TO A RESTRAINING ORDER ISSUED BY THE FAMILY COURT.

Very respectfully,

Speaker of the House

Received as information.

**S. 310--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

S. 310 -- Senators Alexander and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑29‑95 SO AS TO PROVIDE THE MANUFACTURED HOUSING BOARD SHALL ADOPT CERTAIN FINANCIAL RESPONSIBILITY GUIDELINES FOR ITS LICENSEES; BY ADDING SECTION 40‑29‑225 SO AS TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF LICENSURE AS A MANUFACTURED HOME RETAIL DEALER, RETAIL SALESMAN, INSTALLER, CONTRACTOR, OR REPAIRER; BY ADDING SECTION 40‑29‑325 SO AS TO PROVIDE A DEALER SHALL INCLUDE HIS LICENSE NUMBER IN ADVERTISING, TO PROVIDE AN EXCEPTION, AND TO PROVIDE PENALTIES FOR A VIOLATION; BY ADDING SECTION 40‑29‑500 SO AS TO PROVIDE FAILURE TO OBTAIN AN APPROPRIATE BUILDING PERMIT BEFORE INSTALLING A MANUFACTURED HOME CONSTITUTES A VIOLATION; TO AMEND SECTION 40‑29‑80, RELATING TO BASES FOR SUSPENDING, REVOKING, RESTRICTING, OR DENYING A LICENSE BY THE BOARD, SO AS TO INCLUDE THE AIDING OR ABETTING AN UNLICENSED ENTITY TO EVADE THE PROVISIONS OF THE CHAPTER OR TO ALLOW USE OF A LICENSE BY AN UNLICENSED ENTITY; TO AMEND SECTION 40‑29‑200, RELATING TO APPLICATIONS FOR LICENSURE AND RENEWAL, SO AS TO PROVIDE AN APPLICANT FOR LICENSURE AS A RETAIL DEALER SHALL GIVE THE BOARD A FINANCIAL STATEMENT REVIEWED BY A CERTIFIED PUBLIC ACCOUNTANT, TO PROVIDE THE HOLDER OF A LIEN ON A MANUFACTURED HOME IS NOT SUBJECT TO THE PROVISIONS OF THIS CHAPTER FOR THE SALE, EXCHANGE, OR TRANSFER BY LEASE‑PURCHASE A REPOSSESSED MANUFACTURED HOME MADE THROUGH A LICENSED MANUFACTURED HOME RETAILER, AND TO PROVIDE A PERSON LICENSED BY ANOTHER BOARD OR COMMISSION IN THIS STATE MAY NOT INSTALL A MANUFACTURED HOME BUT MAY REPAIR, INSPECT, OR IMPROVE A MANUFACTURED HOME CONSISTENT WITH THE REQUIREMENTS OF HIS LICENSE; AND TO AMEND SECTION 40‑29‑230, RELATING TO VIOLATIONS OF SURETY BOND, CLAIM, AND RELEASE REQUIREMENTS FOR APPLICANTS FOR LICENSURE BY THE BOARD, SO AS TO INCLUDE THE INABILITY OF AN APPLICANT TO SATISFY REQUISITE FINANCIAL RESPONSIBILITY GUIDELINES AS A BASIS FOR INCREASING THE AMOUNT OF THE REQUIRED SURETY BOND OR OTHER APPROVED SECURITY.

On motion of Senator O’DELL, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator O’DELL spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 38; Nays 3**

**AYES**

Alexander Allen Bennett

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Leatherman

Lourie *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

Bright Corbin Malloy

**Total--3**

The Report of the Committee of Conference was adopted as follows:

**S. 310--Conference Report**

The General Assembly, Columbia, S.C., June 18, 2013

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 310 ‑‑ Senators Alexander and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑29‑95 SO AS TO PROVIDE THE MANUFACTURED HOUSING BOARD SHALL ADOPT CERTAIN FINANCIAL RESPONSIBILITY GUIDELINES FOR ITS LICENSEES; BY ADDING SECTION 40‑29‑225 SO AS TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF LICENSURE AS A MANUFACTURED HOME RETAIL DEALER, RETAIL SALESMAN, INSTALLER, CONTRACTOR, OR REPAIRER; BY ADDING SECTION 40‑29‑325 SO AS TO PROVIDE A DEALER SHALL INCLUDE HIS LICENSE NUMBER IN ADVERTISING, TO PROVIDE AN EXCEPTION, AND TO PROVIDE PENALTIES FOR A VIOLATION; BY ADDING SECTION 40‑29‑500 SO AS TO PROVIDE FAILURE TO OBTAIN AN APPROPRIATE BUILDING PERMIT BEFORE INSTALLING A MANUFACTURED HOME CONSTITUTES A VIOLATION; TO AMEND SECTION 40‑29‑80, RELATING TO BASES FOR SUSPENDING, REVOKING, RESTRICTING, OR DENYING A LICENSE BY THE BOARD, SO AS TO INCLUDE THE AIDING OR ABETTING AN UNLICENSED ENTITY TO EVADE THE PROVISIONS OF THE CHAPTER OR TO ALLOW USE OF A LICENSE BY AN UNLICENSED ENTITY; TO AMEND SECTION 40‑29‑200, RELATING TO APPLICATIONS FOR LICENSURE AND RENEWAL, SO AS TO PROVIDE AN APPLICANT FOR LICENSURE AS A RETAIL DEALER SHALL GIVE THE BOARD A FINANCIAL STATEMENT REVIEWED BY A CERTIFIED PUBLIC ACCOUNTANT, TO PROVIDE THE HOLDER OF A LIEN ON A MANUFACTURED HOME IS NOT SUBJECT TO THE PROVISIONS OF THIS CHAPTER FOR THE SALE, EXCHANGE, OR TRANSFER BY LEASE‑PURCHASE A REPOSSESSED MANUFACTURED HOME MADE THROUGH A LICENSED MANUFACTURED HOME RETAILER, AND TO PROVIDE A PERSON LICENSED BY ANOTHER BOARD OR COMMISSION IN THIS STATE MAY NOT INSTALL A MANUFACTURED HOME BUT MAY REPAIR, INSPECT, OR IMPROVE A MANUFACTURED HOME CONSISTENT WITH THE REQUIREMENTS OF HIS LICENSE; AND TO AMEND SECTION 40‑29‑230, RELATING TO VIOLATIONS OF SURETY BOND, CLAIM, AND RELEASE REQUIREMENTS FOR APPLICANTS FOR LICENSURE BY THE BOARD, SO AS TO INCLUDE THE INABILITY OF AN APPLICANT TO SATISFY REQUISITE FINANCIAL RESPONSIBILITY GUIDELINES AS A BASIS FOR INCREASING THE AMOUNT OF THE REQUIRED SURETY BOND OR OTHER APPROVED SECURITY.

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:

/ SECTION 1. Chapter 29, Title 40 of the 1976 Code is amended by adding:

“Section 40‑29‑95. (A) The board shall consider the financial responsibility of an applicant as determined by this section and regulations promulgated by the board.

(B) A retail dealer applicant who fails to possess cash or cash equivalency in an amount equal to or greater than one hundred fifty thousand dollars or a credit score of less than seven hundred must appear before the board.

(C) Should the board license an applicant who is unable to meet the financial responsibility guidelines of this section or the regulations of the board, then the board may modify or restrict the activities of the licensee.”

SECTION 2. Chapter 29, Title 40 of the 1976 Code is amended by adding:

“Section 40‑29‑325. Licensed, manufactured housing retail dealers shall include their dealer license number on any print, Internet, or email advertisement by the retail dealer for the sale of a manufactured home located in South Carolina.”

SECTION 3. Section 40‑29‑200 of the 1976 Code is amended to read:

“Section 40‑29‑200. (A) All licenses expire June thirtieth of each even‑numbered year following the date of issue, unless sooner revoked or suspended.

(B) An applicant for licensure shall:

(1) demonstrate financial responsibility as required by ~~regulations of the board~~ Section 40‑29‑95;

(2) for a retail dealer, provide a financial statement reviewed by a licensed certified public accountant;

(~~2~~3) not have engaged illegally in the licensed classification;

(~~3~~4) demonstrate familiarity with the regulations adopted by the board concerning the classification for which application is made;

(~~4~~5) if a corporation, have complied with the laws of South Carolina regarding qualification for doing business in this State or have been incorporated in South Carolina and have and maintain a registered agent and a registered office in this State;

(~~5~~6) submit proof of registration with the Department of Revenue and submit a current tax identification number;

(~~6~~7) where applicable, pass an examination administered by the board or its designated test provider in the license classification for which application is made;

(~~7~~8) where applicable, complete training as prescribed by the board.

(C) A manufactured housing license is not required for a licensed real estate salesman or licensed real estate broker who negotiates or attempts to negotiate for any legal entity the listing, sale, purchase, exchange, lease, or other disposition of a used manufactured or mobile home in conjunction with the listing, sale, purchase, exchange, lease, or other disposition of real estate upon which the used manufactured or mobile home is located.

(D) The holder of a lien on a manufactured home who sells, exchanges, or transfers by lease‑purchase a repossessed manufactured home subject to the lien is not subject to the provisions of this chapter if the sale, exchange, or transfer is through a licensed manufactured home retail dealer. A sale by a lienholder conducted through the foreclosure process of Section 29‑3‑610, et seq. may not be subject to the provisions of this chapter.

(~~D~~E) A license must be issued in only one person’s name who may be the individual owner, stockholder, copartner, manufactured home retail salesman or other representative of a manufactured home manufacturer, manufactured home retail dealer, or other entity required to be licensed. It is the duty of a manufactured home retail dealer and manufactured home manufacturer to conspicuously display the licenses in the established place of business. Manufactured home retail salesmen and manufactured home contractors, installers, and repairers are required to carry their licenses on their persons at all times when they are doing business in this State, and they must be shown upon request.

(~~E~~F) The board may deny a license to an applicant who submits an application meeting the requirements of this chapter if the applicant has been convicted in a court of competent jurisdiction of a violent crime as defined in Section 16‑1‑60, a felony directly related to any aspect of the business of manufactured housing, or a felony, an essential element of which is dishonesty, reasonably related to any aspect of the business of manufactured housing ~~within the prior seven years or an offense involving moral turpitude~~.

(~~F~~G) No person may be issued a license as a manufactured home retail dealer unless the person can show proof satisfactory to the board of two years’ experience in the manufactured home industry or other relevant experience acceptable to the board.

(~~G~~H) Notwithstanding any other provision of law, the board may not grant reciprocity or issue a license to an applicant:

(1) whose license in another state is currently restricted in any way, including probationary or other conditions, or was surrendered in lieu of disciplinary action or was revoked;

(2) who has disciplinary action pending against him in another state; or

(3) who is currently under sentence, including probation or parole, for a ~~felony, crime of moral turpitude, or other criminal violation related to any aspect of the business of manufactured housing~~ violation of Section 16‑1‑60, a felony directly related to any aspect of the business of manufactured housing, or a felony, an essential element of which is dishonesty, reasonably related to any aspect of the business of manufactured housing.

(~~H~~I)(1) An applicant may be granted an apprentice salesperson license for up to one hundred twenty days. An apprentice salesperson license may not be issued to an applicant if the applicant has ever been:

(a) denied any type of license issued pursuant to this chapter;

(b) subject to suspension or revocation of a license issued pursuant to this chapter; or

(c) subject to any disciplinary action taken in accordance with this chapter.

(2) An applicant is subject to all of the requirements of this chapter and regulations promulgated pursuant to this chapter, except that an applicant is not required to complete the training, testing, and bond requirements established for a regular retail salesperson license.”

SECTION 4. Section 40‑29‑230(B)(3) of the 1976 Code is amended to read:

“(3) The board, upon a finding of a violation by a licensee or that an applicant is unable to meet the financial responsibility guidelines, may further require the licensee to increase the amount of a surety bond or other approved security. An increase must be proportioned to the seriousness of the offense ~~or~~, the repeat nature of the licensee’s violations, ~~but the~~ or related to the financial condition of an applicant. The total amount may not exceed an additional seventy‑five thousand dollars for manufacturers, fifty thousand dollars for dealers, twenty thousand dollars for salespersons, and ten thousand dollars for manufactured home contractors, installers, and repairers. The board, after one year, may reduce an increased surety bond or other approved security when satisfied that violations have been cured by appropriate corrective action and that the licensee is otherwise in good standing. The bonds cannot be reduced below amounts provided in this section.”

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

Amend title to conform.

/s/Sen. William H. O’Dell /s/Rep. Bill Sandifer

/s/Sen. C. Bradley Hutto /s/Rep. McLain R. Toole

/s/Sen. Kevin L. Bryant /s/Rep. Carl L. Anderson

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

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 310 -- Senators Alexander and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑29‑95 SO AS TO PROVIDE THE MANUFACTURED HOUSING BOARD SHALL ADOPT CERTAIN FINANCIAL RESPONSIBILITY GUIDELINES FOR ITS LICENSEES; BY ADDING SECTION 40‑29‑225 SO AS TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF LICENSURE AS A MANUFACTURED HOME RETAIL DEALER, RETAIL SALESMAN, INSTALLER, CONTRACTOR, OR REPAIRER; BY ADDING SECTION 40‑29‑325 SO AS TO PROVIDE A DEALER SHALL INCLUDE HIS LICENSE NUMBER IN ADVERTISING, TO PROVIDE AN EXCEPTION, AND TO PROVIDE PENALTIES FOR A VIOLATION; BY ADDING SECTION 40‑29‑500 SO AS TO PROVIDE FAILURE TO OBTAIN AN APPROPRIATE BUILDING PERMIT BEFORE INSTALLING A MANUFACTURED HOME CONSTITUTES A VIOLATION; TO AMEND SECTION 40‑29‑80, RELATING TO BASES FOR SUSPENDING, REVOKING, RESTRICTING, OR DENYING A LICENSE BY THE BOARD, SO AS TO INCLUDE THE AIDING OR ABETTING AN UNLICENSED ENTITY TO EVADE THE PROVISIONS OF THE CHAPTER OR TO ALLOW USE OF A LICENSE BY AN UNLICENSED ENTITY; TO AMEND SECTION 40‑29‑200, RELATING TO APPLICATIONS FOR LICENSURE AND RENEWAL, SO AS TO PROVIDE AN APPLICANT FOR LICENSURE AS A RETAIL DEALER SHALL GIVE THE BOARD A FINANCIAL STATEMENT REVIEWED BY A CERTIFIED PUBLIC ACCOUNTANT, TO PROVIDE THE HOLDER OF A LIEN ON A MANUFACTURED HOME IS NOT SUBJECT TO THE PROVISIONS OF THIS CHAPTER FOR THE SALE, EXCHANGE, OR TRANSFER BY LEASE‑PURCHASE A REPOSSESSED MANUFACTURED HOME MADE THROUGH A LICENSED MANUFACTURED HOME RETAILER, AND TO PROVIDE A PERSON LICENSED BY ANOTHER BOARD OR COMMISSION IN THIS STATE MAY NOT INSTALL A MANUFACTURED HOME BUT MAY REPAIR, INSPECT, OR IMPROVE A MANUFACTURED HOME CONSISTENT WITH THE REQUIREMENTS OF HIS LICENSE; AND TO AMEND SECTION 40‑29‑230, RELATING TO VIOLATIONS OF SURETY BOND, CLAIM, AND RELEASE REQUIREMENTS FOR APPLICANTS FOR LICENSURE BY THE BOARD, SO AS TO INCLUDE THE INABILITY OF AN APPLICANT TO SATISFY REQUISITE FINANCIAL RESPONSIBILITY GUIDELINES AS A BASIS FOR INCREASING THE AMOUNT OF THE REQUIRED SURETY BOND OR OTHER APPROVED SECURITY.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of 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:

S. 310 -- Senators Alexander and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑29‑95 SO AS TO PROVIDE THE MANUFACTURED HOUSING BOARD SHALL ADOPT CERTAIN FINANCIAL RESPONSIBILITY GUIDELINES FOR ITS LICENSEES; BY ADDING SECTION 40‑29‑225 SO AS TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF LICENSURE AS A MANUFACTURED HOME RETAIL DEALER, RETAIL SALESMAN, INSTALLER, CONTRACTOR, OR REPAIRER; BY ADDING SECTION 40‑29‑325 SO AS TO PROVIDE A DEALER SHALL INCLUDE HIS LICENSE NUMBER IN ADVERTISING, TO PROVIDE AN EXCEPTION, AND TO PROVIDE PENALTIES FOR A VIOLATION; BY ADDING SECTION 40‑29‑500 SO AS TO PROVIDE FAILURE TO OBTAIN AN APPROPRIATE BUILDING PERMIT BEFORE INSTALLING A MANUFACTURED HOME CONSTITUTES A VIOLATION; TO AMEND SECTION 40‑29‑80, RELATING TO BASES FOR SUSPENDING, REVOKING, RESTRICTING, OR DENYING A LICENSE BY THE BOARD, SO AS TO INCLUDE THE AIDING OR ABETTING AN UNLICENSED ENTITY TO EVADE THE PROVISIONS OF THE CHAPTER OR TO ALLOW USE OF A LICENSE BY AN UNLICENSED ENTITY; TO AMEND SECTION 40‑29‑200, RELATING TO APPLICATIONS FOR LICENSURE AND RENEWAL, SO AS TO PROVIDE AN APPLICANT FOR LICENSURE AS A RETAIL DEALER SHALL GIVE THE BOARD A FINANCIAL STATEMENT REVIEWED BY A CERTIFIED PUBLIC ACCOUNTANT, TO PROVIDE THE HOLDER OF A LIEN ON A MANUFACTURED HOME IS NOT SUBJECT TO THE PROVISIONS OF THIS CHAPTER FOR THE SALE, EXCHANGE, OR TRANSFER BY LEASE‑PURCHASE A REPOSSESSED MANUFACTURED HOME MADE THROUGH A LICENSED MANUFACTURED HOME RETAILER, AND TO PROVIDE A PERSON LICENSED BY ANOTHER BOARD OR COMMISSION IN THIS STATE MAY NOT INSTALL A MANUFACTURED HOME BUT MAY REPAIR, INSPECT, OR IMPROVE A MANUFACTURED HOME CONSISTENT WITH THE REQUIREMENTS OF HIS LICENSE; AND TO AMEND SECTION 40‑29‑230, RELATING TO VIOLATIONS OF SURETY BOND, CLAIM, AND RELEASE REQUIREMENTS FOR APPLICANTS FOR LICENSURE BY THE BOARD, SO AS TO INCLUDE THE INABILITY OF AN APPLICANT TO SATISFY REQUISITE FINANCIAL RESPONSIBILITY GUIDELINES AS A BASIS FOR INCREASING THE AMOUNT OF THE REQUIRED SURETY BOND OR OTHER APPROVED SECURITY.

Very respectfully,

Speaker of the House

Received as information.

**H. 3360--SENATE GRANTED FREE CONFERENCE POWERS**

**FREE CONFERENCE COMMITTEE APPOINTED**

H. 3360 -- Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G.R. Smith, J.E. Smith, Sottile, Stringer, Tallon, Taylor and Bales: A BILL TO AMEND SECTIONS 57‑5‑10, 57‑5‑70, AND 57-5-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57‑5‑90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

On motion of Senator PEELER, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER explained the Conference Report.

Senators GROOMS and SETZLER spoke on the Conference Report.

The question then was granting of Free Conference powers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 39; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Leatherman Lourie *Martin, Larry*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Bright Bryant Malloy

*Martin, Shane*

**Total--4**

On motion of Senator PEELER, Free Conference Powers were granted.

Whereupon, Senators SETZLER, PEELER and GROOMS were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Owens, Daning and R.L. Brown to the Committee of Free Conference on the part of the House on:

H. 3360 -- Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G.R. Smith, J.E. Smith, Sottile, Stringer, Tallon, Taylor and Bales: A BILL TO AMEND SECTIONS 57‑5‑10, 57‑5‑70, AND 57-5-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57‑5‑90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

Very respectfully,

Speaker of the House

Received as information.

**H. 3360--REPORT OF THE**

**COMMITTEE OF FREE CONFERENCE ADOPTED**

H. 3360 -- Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G.R. Smith, J.E. Smith, Sottile, Stringer, Tallon, Taylor and Bales: A BILL TO AMEND SECTIONS 57‑5‑10, 57‑5‑70, AND 57-5-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57‑5‑90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

On motion of Senator PEELER, with unanimous consent, the Report of the Committee of Free Conference was taken up for immediate consideration.

Senator PEELER spoke on the report.

Senators BRYANT and BRIGHT argued contra to the adoption of the Free Conference Report.

Senator CLEARY spoke on the report.

The question then was adoption of the Report of the Committee of Free Conference.

**Point of Order**

Senator MALLOY raised a Point of Order under Rule 37 that the Report of the Committee of Free Conference had not been on the Desk for one day.

Senator PEELER moved under the provisions of Rule 37 to waive the one day requirement.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 32; Nays 7**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Courson

Cromer Davis Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Leatherman Lourie *Martin, Larry*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Reese Setzler

Shealy Turner Verdin

Williams Young

**Total--32**

**NAYS**

Bright Bryant Corbin

Malloy *Martin, Shane* McElveen

Thurmond

**Total--7**

The one day requirement was waived.

Senator MALLOY argued contra to the adoption of the Report of the Committee of Free Conference.

Senator MALLOY moved to carry over the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 10; Nays 27**

**AYES**

Allen Bright Bryant

Corbin Hutto Johnson

Malloy *Martin, Shane* Pinckney

Reese

**Total--10**

**NAYS**

Alexander Bennett Campbell

Campsen Cleary Courson

Cromer Gregory Grooms

Hayes Hembree Leatherman

Lourie *Martin, Larry* Massey

McElveen McGill Nicholson

O'Dell Peeler Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--27**

The Senate refused to carry over the Report of the Committee of Free Conference.

At 7:03 P.M., Senator MALLOY moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 7; Nays 33**

**AYES**

Allen Bright Bryant

Johnson Malloy *Martin, Shane*

McElveen

**Total--7**

**NAYS**

Alexander Bennett Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Gregory Grooms Hayes

Hembree Hutto Leatherman

Lourie *Martin, Larry* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--33**

The Senate refused to adjourn.

The question then was the adoption of the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 35; Nays 5**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Courson Cromer Davis

Gregory Grooms Hayes

Hembree Hutto Johnson

Leatherman Lourie *Martin, Larry*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--35**

**NAYS**

Bright Bryant Corbin

Malloy *Martin, Shane*

**Total--5**

The Report of the Committee of Free Conference was adopted as follows:

**H. 3360--Free Conference Report**

The General Assembly, Columbia, S.C., June 17, 2013

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3360 ‑‑ Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G.R. Smith, J.E. Smith, Sottile, Stringer, Tallon, Taylor and Bales: A BILL TO AMEND SECTIONS 57‑5‑10, 57‑5‑70, AND 57‑5‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57‑5‑90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

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:

/ SECTION 1. Section 57‑5‑10 of the 1976 Code is amended to read:

“Section 57‑5‑10. The state highway system shall consist of a statewide system of connecting highways ~~which~~ that shall be constructed ~~by~~ to the Department of ~~Transportation~~ Transportation’s standards and ~~which~~ that shall be maintained by the department in a safe and serviceable condition as state highways. The department may utilize funding sources including, but not limited to, the State Nonfederal Aid Highway Fund and the State Highway Fund as established by Section 57‑11‑20 in carrying out the provisions of this section. The complete state highway system shall mean the system of state highways as now constituted, consisting of the roads, streets, and highways ~~heretofore~~ designated as state highways or designated for construction or maintenance by the department pursuant to law, together with the roads, streets, and highways ~~heretofore~~ added to the state highway system by the Commission of the Department of Transportation, and ~~such~~ the roads, streets, and highways ~~as~~ that may ~~hereafter~~ be added to the system pursuant to law. Roads and highways in the state highway system are classified into three classifications:

(1) interstate system of highways;

(2) state highway primary system; and

(3) state highway secondary system.”

SECTION 2. Section 57‑5‑70 of the 1976 Code is amended to read:

“Section 57‑5‑70. ~~The department shall take over and accept as a part of the state highway secondary system the roads remaining in the various county road systems which have been maintained by the respective counties, or so much mileage thereof as the availability of funds for construction of secondary state highways in a county may justify; provided, that municipal streets which are extensions of state highways may be added to the state highway secondary system in lieu of an equal mileage of county roads. The roads to be placed in the state highway system hereunder shall be selected by the department. Maintenance jurisdiction by the department of roads added to the state highway secondary system pursuant to the provisions of this section shall not commence until construction to state highway standards shall have started.~~ A county or municipality and the department may by mutual consent agree to transfer a road from the county or municipal road system to the state highway system. The transfer may be of the road ‘as is’, without further improvement to the road or upon such terms and conditions as the parties mutually agree. Notification of the transfer must be given to the county’s legislative delegation. If the department determines that a road in the county or municipal road system is necessary for the interconnectivity of the state highway system, and the municipality or county does not consent to the transfer, the department may initiate a condemnation action to acquire the road, or a portion of it, and the county or municipality is not required to make any further improvements to it.”

SECTION 3. Section 57‑5‑80 of the 1976 Code is amended to read:

“Section 57‑5‑80. ~~The department may delete and remove from the state highway secondary system of roads in any county any roads which are of low traffic importance and substitute therefor an equal, or less, mileage of other roads of higher traffic importance as determined by traffic surveys and estimates. Maintenance responsibility for roads deleted and removed from the state highway secondary system pursuant to the provisions of this section shall transfer from the jurisdiction of the department to the jurisdiction of the county or municipality in which such roads are situated, effective upon notice from the department of official action deleting and removing the roads from the state highway system.~~ The department may transfer from the state highway secondary system any road under its jurisdiction, determined by the department to be of low traffic importance, to one of the parties indicated in this section if mutual consent is reached between the department and the party that the road is being transferred to:

(a) a county or municipality;

(b) a school;

(c) a governmental agency;

(d) a nongovernmental entity; or

(e) a person.

In all cases, the county or municipality shall have right of first refusal to accept roads into their maintenance responsibility when roads are considered for transfer from the state highway system to a nongovernmental entity or person and in no case may a state road be transferred to a nongovernmental entity unless all persons and businesses located on that road are in agreement with the transfer. Maintenance responsibility for roads transferred from the state highway system pursuant to the provisions of this section shall transfer from the jurisdiction of the department to the jurisdiction of the county or municipality, school, governmental agency, nongovernmental entity, or person, effective upon notice from the department of official action removing the road from the state highway system. Notification of the transfer must be given to the county’s legislative delegation.”

SECTION 4. A. Article 1, Chapter 43, Title 11 of the 1976 Code is amended by adding:

“Section 11‑43‑165. Each fiscal year, the South Carolina Department of Transportation shall transfer fifty million dollars from non‑tax sources to the South Carolina Transportation Infrastructure Bank. The department may transfer the total amount in one lump sum or it may transfer the amount quarterly in four equal installments. The general fund revenue appropriated to the department for ‘Highway Engineering Permanent Improvements’ in the annual general appropriations act is exempt from any across‑the‑board reductions. The transferred funds must be used solely by the bank to finance bridge replacement, rehabilitation projects, and expansion and improvements to existing mainline interstates. The department shall submit a list of bridge and road projects to the bank for its consideration. Transferred funds may not be used for projects approved by the bank before July 1, 2013. The bank shall submit all projects proposed to be financed by this section to the Joint Bond Review Committee as provided in Section 11‑43‑180, prior to approving a project for financing.”

B. This section takes effect July 1, 2013. Implementation of Section 11‑43‑165 is contingent upon fifty million dollars being appropriated to the South Carolina Department of Transportation in the 2013‑2014 general appropriations act for the purposes provided for in Section 11‑43‑165.

SECTION 5. A. The General Assembly finds that:

(1) before a motor vehicle may be licensed and registered by the South Carolina Department of Motor Vehicles for the privilege of using the public highways of this State, that department either collects or confirms the collection of any applicable sales, use, and casual excise taxes due on the vehicle;

(2) without the required registration and licensing it is unlawful for a motor vehicle to use the public highways of this State; and

(3) the revenue of the sales, use, and casual excise tax required to be paid before a motor vehicle may be registered and licensed in this State is included within the “sources of revenue” that may be pledged to secure highway bonds pursuant to Section 13(6)(a), Article X of the Constitution of this State.

B. Article 25, Chapter 36, Title 12 of the 1976 Code is amended by adding:

“Section 12‑36‑2647. Notwithstanding the provisions of Section 59‑21‑1010, fifty percent of the revenues of sales, use, and casual excise taxes derived pursuant to Sections 12‑36‑2620(1) and 12‑36‑2640(1) on the sale, use, or titling of a motor vehicle required to be licensed and registered by the South Carolina Department of Motor Vehicles, otherwise required to be credited as provided pursuant to Section 59‑21‑1010, instead must be credited to the State Non‑Federal Aid Highway Fund established pursuant to Section 57‑11‑20. Revenues credited to the State Non‑Federal Aid Highway Fund pursuant to this section must be used exclusively for highway, road, and bridge maintenance, construction, and repair.”

C. This section takes effect July 1, 2013.

SECTION 6. A. There is transferred to the Department of Transportation an amount of unobligated Fiscal Year 2012‑2013 general fund revenue not to exceed $50,000,000, which is in excess of the $159,845,460 designated as the source of revenue to fund the appropriations in Proviso 118.17 of the Fiscal Year 2013‑2014 General Appropriations Act, to be used solely by the department for Bridge Replacement and Rehabilitation. The revenue is deemed to have occurred and is available for use after September 1, 2013, following the Comptroller General’s close of the State’s books on fiscal year 2012‑2013. These funds shall serve as the match requirement for active federal aid eligible bridge replacement projects currently programmed in the Statewide Transportation Improvement Program (STIP) and Section 57‑1‑370(B)(8) prioritized rehabilitation projects approved by the commission for future inclusion in the STIP as of February 21, 2013.

B. This section takes effect July 1, 2013.

SECTION 7. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 8. Unless otherwise provided, this act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Harvey S. Peeler, Jr. /s/Rep. Phillip D. Owens

/s/Sen. Nikki G. Setzler /s/Rep. R.L. Brown

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

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

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 18, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Free Conference on:

H. 3360 -- Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G.R. Smith, J.E. Smith, Sottile, Stringer, Tallon, Taylor and Bales: A BILL TO AMEND SECTIONS 57‑5‑10, 57‑5‑70, AND 57‑5‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57‑5‑90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

Very respectfully,

Speaker of the House

Received as information.

**H. 3360--REPORT OF COMMITTEE OF CONFERENCE**

**ENROLLED FOR RATIFICATION**

H. 3360 -- Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G.R. Smith, J.E. Smith, Sottile, Stringer, Tallon, Taylor and Bales: A BILL TO AMEND SECTIONS 57‑5‑10, 57‑5‑70, AND 57‑5‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57‑5‑90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

The Report of the Committee of Free Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**Motion Adopted**

Senator COURSON moved that when the Senate adjourns today, it stand adjourned to meet at 11:00 A.M. tomorrow.

The motion was adopted.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Denise B. Windham, Post Office Box 233, 1308 West Main Street, Lamar, SC 29069 *VICE* Honorable Glenn M. Bell

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

John Joseph Kesler, 454 Moore’s Crossing, Roebuck, SC 29376 *VICE* New (part time)

Reappointment, Lee County Master-in-Equity, with the term to commence December 31, 2013, and to expire December 31, 2019

Stephen B. Doby, Post Office Box 106, Bishopville, SC 29010

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Joshua R. Edwards, 907 Cypress Court, Hartsville, SC 29550 *VICE* Honorable Glenn M. Bell

**MOTION ADOPTED**

On motion of Senators SETZLER, COURSON, ALEXANDER, ALLEN, BENNETT, BRIGHT, BRYANT, CAMPBELL, CAMPSEN, CLEARY, COLEMAN, CORBIN, CROMER, DAVIS, FAIR, GREGORY, GROOMS, HAYES, HEMBREE, HUTTO, JACKSON, JOHNSON, LEATHERMAN, LOURIE, MALLOY, LARRY MARTIN, SHANE MARTIN, MASSEY, MATTHEWS, McELVEEN, McGILL, NICHOLSON, O’DELL, PEELER, PINCKNEY, RANKIN, REESE, SCOTT, SHEALY, SHEHEEN, THURMOND, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory former Senator T. ED GARRISON of Greenville, S.C., our colleague and friend. Senator GARRISON served for 22 years in the Senate and 8 years in the House of Representatives. The Clemson University’s T. Ed Garrison Arena is named in his honor as he was instrumental in raising its initial funding.

**ADJOURNMENT**

At 7:08 P.M., on motion of Senator COURSON, the Senate adjourned under to meet at 11:00 A.M. on Wednesday, June 19, 2013, pursuant to the provisions of S. 744, the *Sine Die* Resolution.

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