**Thursday, June 5, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator LARRY MARTIN.

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

In Genesis we recall that:

“... on the seventh day God finished the work that he had done, and he rested...” (Genesis 2:2)

Join me as we bow in prayer, please:

O Lord, as we approach the end of the 2nd regular session of the 120th South Carolina General Assembly, we ask that You soon grant each of these Senators and every staff member a bit of a respite as they enter a period of rest and renewal. We thank You, God, for their hard work and their dedication to South Carolina and for their concern and care for the people and the future of our State. We pray this day also for all of our other officials who serve South Carolina in so many ways, as well as for our women and men in the Armed Forces. Grant to all of these servants Your unfailing care. In Your loving name we humbly pray, O Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

STATE OF SOUTH CAROLINA

OFFICE OF THE GOVERNOR

June 4, 2014

Mr. President and Members of the Senate:

I am vetoing and returning without my approval R205, S. 293:

(R205, S293) -- Senator Cleary: AN ACT TO AMEND SECTION 4‑23‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LEVY AND COLLECTION OF TAXES IN THE MURRELL’S INLET‑GARDEN CITY FIRE DISTRICT, SO AS TO AUTHORIZE THE LEVY AND COLLECTION OF AN ADDITIONAL FOUR MILLS.

Respectfully,

Nikki Randhawa Haley

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

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**Doctor of the Day**

Senators NICHOLSON and O’DELL introduced Dr. Ashley Harte of Greenwood, S.C., Doctor of the Day. Dr. Harte practices Family Medicine.

**Leave of Absence**

On motion of Senator CAMPBELL, at 11:05 A.M., Senator VERDIN was granted a leave of absence for today.

**Expression of Personal Interest**

Senator RANKIN rose for an Expression of Personal Interest.

**Remarks by Senator RANKIN**

Lady and gentlemen of the Senate, Senator DICK ELLIOTT, as you know, served here in the Senate and in the House, for a distinguished period of time. He was elected to the Senate in 1992 following his service in the House in 1982. He has been ill. You all have asked about that individually, and his family advised Michele in the Clerk’s office earlier today, that they have decided to take him off of life support this weekend.

He has been progressing rapidly to the end of his life. They have had hospice folks, and everybody together. As you know, he served here twenty years with me, and when we were elected to the Horry delegation, we were the ‘Green Team.’ Senator CLEARY, you might have had a different, better dental term than green team, but nonetheless, we all came in together, and it is sad to hear what is happening. But as I have just experienced not long ago, I can tell you that Senator ELLIOTT is ready, and his family is ready for those last stages of his life.

And so we want to on this last day of session, hold his family up, and wish them well. Let’s have a moment of silence where we can remember and urge the Lord’s blessing to make quick haste to the family’s suffering. Would everyone please rise for a moment of silence on behalf of the former Senator ELLIOTT?

On motion of Senator FAIR, with unanimous consent, the remarks of Senator RANKIN were ordered printed in the Journal.

**RECALLED AND ADOPTED**

H. 5247 -- Rep. G.A. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 441 AND ORANGE STREET IN LEE COUNTY THE “JOHN ‘MR. SING’ FRANKLIN INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT EACH ENTRANCE TO THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

Senator McELVEEN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation.

Senator McELVEEN asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

On motion of Senator McELVEEN, with unanimous consent, the Concurrent Resolution was adopted, ordered returned to the House.

**RECALLED AND ADOPTED**

H. 5352 -- Reps. Hayes, Clemmons, George, H.A. Crawford, Ryhal, Brannon, Anderson, Hardee, Edge, Goldfinch and Hardwick: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 319 IN HORRY COUNTY “REPRESENTATIVE LISTON BARFIELD HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

Senator CLEARY asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation.

Senator CLEARY asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

On motion of Senator McELVEEN, with unanimous consent, the Concurrent Resolution was adopted, ordered returned to the House.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1370 -- Senator Malloy: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SENATE UPON THE PASSING OF ROBERT LAZELL DOUGLAS OF CHESTERFIELD AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1371 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE CHUCK WILLIAMS FOR HIS DEDICATED SERVICE TO THE SOUTH CAROLINA SENATE AND TO THE SOUTH CAROLINA AIR NATIONAL GUARD.

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The Senate Resolution was adopted.

S. 1372 -- Senators Kimpson, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO HONOR DR. MILTON KIMPSON OF COLUMBIA FOR HIS LIFETIME OF COMMUNITY AND PUBLIC SERVICE AND TO CONGRATULATE HIM ON RECEIVING THE 2014 GREATER COLUMBIA COMMUNITY RELATIONS COUNCIL COMMUNITY SERVICE AWARD.

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The Senate Resolution was adopted.

H. 4265 -- Reps. McCoy, Harrell and Merrill: A BILL TO AMEND SECTION 5-3-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURE FOR ANNEXATION OF SPECIAL PURPOSE DISTRICTS, SO AS TO PROVIDE FOR AN ADDITIONAL METHOD OF ANNEXATION BY RESOLUTION OF A SPECIAL PURPOSE DISTRICT WHEN A PREEXISTING MUNICIPALITY ANNEXES A MAJORITY OF THE POPULATION OF THE DISTRICT OR WHEN A MUNICIPALITY INCORPORATES A MAJORITY OF THE POPULATION OF A DISTRICT.

Read the first time and referred to the Committee on Judiciary.

H. 5352 -- Reps. Hayes, Clemmons, George, H. A. Crawford, Ryhal, Brannon, Anderson, Hardee, Edge, Goldfinch and Hardwick: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 319 IN HORRY COUNTY "REPRESENTATIVE LISTON BARFIELD HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5354 -- Rep. Hodges: A BILL TO AMEND ACT 190 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL DISTRICT ELECTIONS IN 2014, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5378 -- Reps. G. M. Smith, Weeks, G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE THOMAS SUMTER ACADEMY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON WINNING THE 2014 SOUTH CAROLINA INDEPENDENT SCHOOL ATHLETIC ASSOCIATION (SCISA) CLASS AA STATE CHAMPIONSHIP TITLE.

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

**REPORTS OF STANDING COMMITTEES**

**Appointments Reported**

Senator O’DELL from the General Committee submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

Veterans Organization:

Dale F. Ellenburg, 217 Terrace Dr., Anderson, SC 29621 *VICE* Mr. Donald O. Morillo, Sr.

Received as information.

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Robin A. Helms, 2045 Jack Robertson Ln., Lancaster, SC 29720 *VICE* General Richard S. Siegfried

Received as information.

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

County Officer:

James A. White, 700 Black Street, Walterboro, SC 29488 *VICE* Mr. George O. Blevins

Received as information.

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

County Officer:

Elouise G. L. Evans, 5223 Abram Loop, Marion, SC 29571 *VICE* Mr. James C. Brown

Received as information.

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Col. Ronald F. Taylor, 162 Howe Street, West Columbia, SC 29170 *VICE* John A. Stedman

Received as information.

**Expression of Personal Interest**

Senator SHEHEEN rose for an Expression of Personal Interest.

**Remarks by Senator SHEHEEN**

Gentlemen, if I can have your attention very briefly. In our State Government it is tough to find examples of real leadership. I wanted to call out one of our own, Senator RAY CLEARY, regarding his quest to improve the highways and byways of South Carolina. Senator CLEARY has been an outspoken champion. I was proud to vote with you, Senator CLEARY. All I can say is we are going to make it happen. Thank you for your persistence, leadership and tenacity. It sets an example for all.

On motion of Senator JACKSON, with unanimous consent, the remarks of Senator SHEHEEN were ordered printed in the Journal.

**HOUSE CONCURRENCE**

S. 1306 -- Senators Campbell and Grooms: A CONCURRENT RESOLUTION TO URGE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT IMPORT BANK FOR AN ADDITIONAL FIVE YEARS; FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

Returned with concurrence.

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE LOCAL AND STATEWIDE CALENDAR.**

**CARRIED OVER**

S. 412 -- Senators Thurmond, Lourie, Hayes, McElveen, Turner and Rankin: A BILL TO AMEND SECTION 8-13-1308 OF THE 1976 CODE, RELATING TO THE CONTENTS OF CERTIFIED CAMPAIGN REPORTS OF CANDIDATES AND COMMITTEES, AND TO AMEND SECTION 8-13-1309, RELATING TO THE CONTENTS OF CERTIFIED CAMPAIGN REPORTS OF BALLOT MEASURE COMMITTEES, TO REQUIRE A CANDIDATE OR COMMITTEE OR BALLOT MEASURE COMMITTEE TO ELECTRONICALLY REPORT DURING THE TWENTY DAY PERIOD PRIOR TO AN ELECTION THE RECEIPT OF A CONTRIBUTION FROM A PERSON THAT EXCEEDS TWO HUNDRED FIFTY DOLLARS BY A SINGLE CONTRIBUTION OR WHEN COMBINED WITH ALL OTHER CONTRIBUTIONS MADE DURING THE PERIOD.

On motion of Senator HAYES, the Bill was carried over.

**ADOPTED**

H. 5326 -- Reps. McCoy, Whipper, Stavrinakis and Harrell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF CAMP ROAD AND DILLS BLUFF ROAD ON JAMES ISLAND IN CHARLESTON COUNTY “LEONARD BLANK INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

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

**READ THE THIRD TIME**

**ORDERED ENROLLED FOR RATIFICATION**

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

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

The Bill was read the third time, passed and ordered enrolled for Ratification.

**READ THE THIRD TIME**

**ORDERED ENROLLED FOR RATIFICATION**

H. 4788 -- Reps. Burns, Bedingfield, Chumley, H.A. Crawford, Goldfinch, Loftis, Norman, Putnam, Stringer, Willis, Wood, Barfield and Douglas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑65 SO AS TO DESIGNATE THE SECOND SUNDAY IN AUGUST AS “SPIRIT OF ‘45 DAY”.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

On motion of Senator CORBIN, the Bill was read the third time, passed and ordered enrolled for Ratification.

**READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

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

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator MALLOY spoke on the Bill.

Senator SCOTT spoke on the Bill.

Senator BRYANT spoke on the Bill.

The question then was third reading of the Bill.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 3959 -- Reps. Kennedy, Quinn, Spires, Huggins, Atwater, Bingham, Delleney, Felder, Finlay, D.C. Moss, Norman, Pope, Sellers, Simrill, Tallon, Weeks, Wood and Whipper: A BILL TO AMEND SECTION 16-15-395, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE; TO AMEND SECTION 16‑15‑405, AS AMENDED, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE AND INCREASE THE MAXIMUM PENALTY FROM TEN TO FIFTEEN YEARS; AND TO AMEND SECTION 16‑15‑410, AS AMENDED, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3959 -- Reps. Kennedy, Quinn, Spires, Huggins, Atwater, Bingham, Delleney, Felder, Finlay, D.C. Moss, Norman, Pope, Sellers, Simrill, Tallon, Weeks, Wood and Whipper: A BILL TO AMEND SECTION 16-15-395, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE; TO AMEND SECTION 16‑15‑405, AS AMENDED, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE AND INCREASE THE MAXIMUM PENALTY FROM TEN TO FIFTEEN YEARS; AND TO AMEND SECTION 16‑15‑410, AS AMENDED, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 3086 -- Reps. Daning, J.E. Smith, Crosby, R.L. Brown, M.S. McLeod, Taylor, J.R. Smith, Wells, Hixon, Rivers and Gilliard: A BILL TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN‑STATE TUITION RATES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator HUTTO explained the Bill.

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**H. 3086--Recorded Vote**

Senator MALLOY desired to be recorded as voting in favor of the third reading of the Bill.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3086 -- Reps. Daning, J.E. Smith, Crosby, R.L. Brown, M.S. McLeod, Taylor, J.R. Smith, Wells, Hixon, Rivers and Gilliard: A BILL TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN‑STATE TUITION RATES.

Very respectfully,

Speaker of the House

Received as information.

**H.3086--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 3086 -- Reps. Daning, J.E. Smith, Crosby, R.L. Brown, M.S. McLeod, Taylor, J.R. Smith, Wells, Hixon, Rivers and Gilliard: A BILL TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN‑STATE TUITION RATES.

On motion of Senator HUTTO, the Senate insisted upon its amendments to H. 3086 and asked for a Committee of Conference.

Whereupon, Senators HUTTO, HEMBREE and YOUNG were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Crosby, Daning and J.E. Smith to the Committee of Conference on the part of the House on:

H. 3086 -- Reps. Daning, J.E. Smith, Crosby, R.L. Brown, M.S. McLeod, Taylor, J.R. Smith, Wells, Hixon, Rivers and Gilliard: A BILL TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN‑STATE TUITION RATES.

Very respectfully,

Speaker of the House

Received as information.

**READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 3428 -- Reps. Allison, Erickson, M.S. McLeod, J.E. Smith, Spires, Hiott, Owens, Whitmire, Douglas, Hamilton, Bannister, Neal, Alexander, Weeks, Powers Norrell, Bales, Anderson, Robinson‑Simpson, Williams, Henderson, Sottile, Munnerlyn, Rutherford, Vick, R.L. Brown, Whipper, Branham, Govan, J.R. Smith, Hayes, George, Funderburk, W.J. McLeod, Bernstein, Felder, Wood, Patrick and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑152‑25 SO AS TO DEFINE TERMS CONCERNING THE FIRST STEPS TO SCHOOL READINESS INITIATIVE; BY ADDING SECTION 59‑152‑32 SO AS TO PROVIDE THE FIRST STEPS BOARD OF TRUSTEES SHALL DEVELOP A COMPREHENSIVE LONG‑RANGE INITIATIVE AND STRATEGY FOR SCHOOL READINESS; BY ADDING SECTION 59‑152‑33 SO AS TO PROVIDE A STATEWIDE ASSESSMENT OF STUDENT SCHOOL READINESS; BY ADDING SECTION 63‑11‑1725 SO AS TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE SOUTH CAROLINA EARLY CHILDHOOD ADVISORY COUNCIL; BY ADDING SECTION 63‑11‑1735 SO AS TO PROVIDE FIRST STEPS SHALL ENSURE THE COMPLIANCE OF BABYNET WITH FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS, AND TO DEFINE CERTAIN TERMS; TO AMEND SECTION 59‑152‑10, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY FIRST STEPS PARTNERSHIPS AS LOCAL FIRST STEPS PARTNERSHIPS; TO AMEND SECTION 59‑152‑20, RELATING TO THE PURPOSE OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY PARTNERSHIPS AS LOCAL PARTNERSHIPS; TO AMEND SECTION 59‑152‑30, RELATING TO THE GOALS OF FIRST STEPS, SO AS TO RESTATE CERTAIN GOALS OF STUDENT READINESS; TO AMEND SECTION 59‑152‑40, RELATING TO OVERSIGHT OF THE INITIATIVE BY THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REQUIRE THE BOARD ALSO BE ACCOUNTABLE FOR THE INITIATIVE; TO AMEND SECTION 59‑152‑50, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, SO AS TO REVISE THE TIME FOR REQUIRED PERFORMANCE AUDITS AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑60, RELATING TO FIRST STEPS PARTNERSHIPS, SO AS TO REQUIRE A LOCAL PARTNERSHIP IN EACH COUNTY, TO PROVIDE THAT MEETINGS AND ELECTIONS OF A LOCAL PARTNERSHIP ARE SUBJECT TO THE FREEDOM OF INFORMATION ACT AND CERTAIN DISCLOSURE REQUIREMENTS, TO SPECIFY AND REVISE REQUIREMENTS FOR THE COMPOSITION OF A LOCAL PARTNERSHIP BOARD AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑70, RELATING TO THE POWERS AND DUTIES OF A LOCAL PARTNERSHIP BOARD, SO AS TO REVISE THE REQUIREMENTS CONCERNING COUNTY NEEDS ASSESSMENTS, RECORD KEEPING AND REPORTING, TO PROVIDE STAFFING PURSUANT TO LOCAL BYLAWS, AND TO PROVIDE MULTIPLE LOCAL PARTNERSHIPS MAY COLLABORATE TO MAXIMIZE EFFICIENT DELIVERY OF SERVICES AND THE EXECUTION OF THEIR DUTIES AND POWERS; TO AMEND SECTION 59‑152‑90, RELATING TO FIRST STEPS GRANTS, SO AS TO ESTABLISH THE GRANTS AS LOCAL PARTNERSHIP GRANTS, AND TO REVISE THE PROCESS FOR OBTAINING A GRANT AND THE METHOD OF ALLOCATING GRANT FUNDS; TO AMEND SECTION 59‑152‑100, RELATING TO USE OF FIRST STEPS GRANT FUNDS, SO AS TO PROVIDE THE SECTION APPLIES TO GRANTS EXPENDED BY A FIRST STEPS PARTNERSHIP, AND TO REVISE THE PERMISSIBLE USES OF GRANT FUNDS; TO AMEND SECTION 59‑152‑120, RELATING TO THE USE OF GRANT FUNDS FOR CAPITAL EXPENDITURES, SO AS TO REVISE THE PURPOSE FOR WHICH FUNDS MAY BE USED AND TO REQUIRE PRIOR APPROVAL OF THE BOARD OF TRUSTEES; TO AMEND SECTION 59‑152‑130, RELATING TO A MANDATORY MATCHING OF FUNDS BY LOCAL PARTNERSHIPS, SO AS TO REVISE THE MANDATORY AMOUNT, TO ENCOURAGE PRIVATE CONTRIBUTIONS TO HELP LOCAL PARTNERSHIPS MEET THEIR MANDATORY MATCHING REQUIREMENT, AND TO DELETE A PROVISION ALLOWING CERTAIN EXPENSES TO BE INCLUDED IN DETERMINING MATCHING FUNDS; TO AMEND SECTION 59‑152‑140, RELATING TO THE PERMISSIBILITY OF CARRY FORWARD FUNDS BY A LOCAL PARTNERSHIP, SECTION 59‑152‑150, RELATING TO ACCOUNTABILITY SYSTEMS, AND SECTION 59‑152‑160, RELATING TO PROGRESS EVALUATIONS, ALL SO AS TO DELETE OBSOLETE TERMS; TO AMEND SECTION 63‑11‑1720, RELATING TO THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; AND TO REPEAL SECTION 59‑152‑80 RELATING TO FIRST STEPS GRANTS AND SECTION 59‑152‑110 RELATING TO THE USE OF FIRST STEPS LOCAL PARTNERSHIP GRANT FUNDS.

By prior motion of Senator SETZLER, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3428 -- Reps. Allison, Erickson, M.S. McLeod, J.E. Smith, Spires, Hiott, Owens, Whitmire, Douglas, Hamilton, Bannister, Neal, Alexander, Weeks, Powers Norrell, Bales, Anderson, Robinson‑Simpson, Williams, Henderson, Sottile, Munnerlyn, Rutherford, Vick, R.L. Brown, Whipper, Branham, Govan, J.R. Smith, Hayes, George, Funderburk, W.J. McLeod, Bernstein, Felder, Wood, Patrick and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑152‑25 SO AS TO DEFINE TERMS CONCERNING THE FIRST STEPS TO SCHOOL READINESS INITIATIVE; BY ADDING SECTION 59‑152‑32 SO AS TO PROVIDE THE FIRST STEPS BOARD OF TRUSTEES SHALL DEVELOP A COMPREHENSIVE LONG‑RANGE INITIATIVE AND STRATEGY FOR SCHOOL READINESS; BY ADDING SECTION 59‑152‑33 SO AS TO PROVIDE A STATEWIDE ASSESSMENT OF STUDENT SCHOOL READINESS; BY ADDING SECTION 63‑11‑1725 SO AS TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE SOUTH CAROLINA EARLY CHILDHOOD ADVISORY COUNCIL; BY ADDING SECTION 63‑11‑1735 SO AS TO PROVIDE FIRST STEPS SHALL ENSURE THE COMPLIANCE OF BABYNET WITH FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS, AND TO DEFINE CERTAIN TERMS; TO AMEND SECTION 59‑152‑10, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY FIRST STEPS PARTNERSHIPS AS LOCAL FIRST STEPS PARTNERSHIPS; TO AMEND SECTION 59‑152‑20, RELATING TO THE PURPOSE OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY PARTNERSHIPS AS LOCAL PARTNERSHIPS; TO AMEND SECTION 59‑152‑30, RELATING TO THE GOALS OF FIRST STEPS, SO AS TO RESTATE CERTAIN GOALS OF STUDENT READINESS; TO AMEND SECTION 59‑152‑40, RELATING TO OVERSIGHT OF THE INITIATIVE BY THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REQUIRE THE BOARD ALSO BE ACCOUNTABLE FOR THE INITIATIVE; TO AMEND SECTION 59‑152‑50, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, SO AS TO REVISE THE TIME FOR REQUIRED PERFORMANCE AUDITS AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑60, RELATING TO FIRST STEPS PARTNERSHIPS, SO AS TO REQUIRE A LOCAL PARTNERSHIP IN EACH COUNTY, TO PROVIDE THAT MEETINGS AND ELECTIONS OF A LOCAL PARTNERSHIP ARE SUBJECT TO THE FREEDOM OF INFORMATION ACT AND CERTAIN DISCLOSURE REQUIREMENTS, TO SPECIFY AND REVISE REQUIREMENTS FOR THE COMPOSITION OF A LOCAL PARTNERSHIP BOARD AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑70, RELATING TO THE POWERS AND DUTIES OF A LOCAL PARTNERSHIP BOARD, SO AS TO REVISE THE REQUIREMENTS CONCERNING COUNTY NEEDS ASSESSMENTS, RECORD KEEPING AND REPORTING, TO PROVIDE STAFFING PURSUANT TO LOCAL BYLAWS, AND TO PROVIDE MULTIPLE LOCAL PARTNERSHIPS MAY COLLABORATE TO MAXIMIZE EFFICIENT DELIVERY OF SERVICES AND THE EXECUTION OF THEIR DUTIES AND POWERS; TO AMEND SECTION 59‑152‑90, RELATING TO FIRST STEPS GRANTS, SO AS TO ESTABLISH THE GRANTS AS LOCAL PARTNERSHIP GRANTS, AND TO REVISE THE PROCESS FOR OBTAINING A GRANT AND THE METHOD OF ALLOCATING GRANT FUNDS; TO AMEND SECTION 59‑152‑100, RELATING TO USE OF FIRST STEPS GRANT FUNDS, SO AS TO PROVIDE THE SECTION APPLIES TO GRANTS EXPENDED BY A FIRST STEPS PARTNERSHIP, AND TO REVISE THE PERMISSIBLE USES OF GRANT FUNDS; TO AMEND SECTION 59‑152‑120, RELATING TO THE USE OF GRANT FUNDS FOR CAPITAL EXPENDITURES, SO AS TO REVISE THE PURPOSE FOR WHICH FUNDS MAY BE USED AND TO REQUIRE PRIOR APPROVAL OF THE BOARD OF TRUSTEES; TO AMEND SECTION 59‑152‑130, RELATING TO A MANDATORY MATCHING OF FUNDS BY LOCAL PARTNERSHIPS, SO AS TO REVISE THE MANDATORY AMOUNT, TO ENCOURAGE PRIVATE CONTRIBUTIONS TO HELP LOCAL PARTNERSHIPS MEET THEIR MANDATORY MATCHING REQUIREMENT, AND TO DELETE A PROVISION ALLOWING CERTAIN EXPENSES TO BE INCLUDED IN DETERMINING MATCHING FUNDS; TO AMEND SECTION 59‑152‑140, RELATING TO THE PERMISSIBILITY OF CARRY FORWARD FUNDS BY A LOCAL PARTNERSHIP, SECTION 59‑152‑150, RELATING TO ACCOUNTABILITY SYSTEMS, AND SECTION 59‑152‑160, RELATING TO PROGRESS EVALUATIONS, ALL SO AS TO DELETE OBSOLETE TERMS; TO AMEND SECTION 63‑11‑1720, RELATING TO THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; AND TO REPEAL SECTION 59‑152‑80 RELATING TO FIRST STEPS GRANTS AND SECTION 59‑152‑110 RELATING TO THE USE OF FIRST STEPS LOCAL PARTNERSHIP GRANT FUNDS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 3853 -- Reps. Owens, Patrick, Bedingfield, Loftis, Taylor, Allison, Anthony, Brannon, Southard, Bowen, Whitmire, Limehouse, Cole, Erickson, Forrester, Harrell, Herbkersman, Hixon, Lucas, D.C. Moss, Norman, Pitts, Pope, Putnam, Simrill, G.R. Smith, Sottile, Stringer, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑111 SO AS TO AUTHORIZE AN ALTERNATIVE EDUCATION CAMPUS (AEC) TO BE ESTABLISHED BY A CHARTER SCHOOL SPONSOR WHICH SHALL CONSTITUTE A CHARTER SCHOOL SERVING A SPECIFIC STUDENT POPULATION, AND TO PROVIDE THE CRITERIA FOR A CHARTER SCHOOL TO BE DESIGNATED AS AN AEC; TO AMEND SECTION 59‑40‑55, RELATING TO A CHARTER SCHOOL SPONSOR’S POWERS AND DUTIES, SO AS TO FURTHER PROVIDE FOR THESE POWERS AND DUTIES INCLUDING THE ADOPTION OF NATIONAL INDUSTRY STANDARDS FOR THE SCHOOL, AND THE CLOSURE OF LOW PERFORMING SCHOOLS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATIONS AND THE FORMATION OF CHARTER SCHOOLS, SO AS TO PROVIDE THAT THE CHARTER SCHOOL APPLICATION MUST BE BASED ON AN APPLICATION TEMPLATE WITH COMPLIANCE GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION, AND TO FURTHER PROVIDE FOR THE CONTENTS OF THE APPLICATION AND FOR LETTERS OF INTENT TO BE SUBMITTED BY AN APPLICANT AND A CHARTER COMMITTEE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE AND ITS DUTY TO REVIEW CHARTER SCHOOL APPLICATIONS, SO AS TO DELETE THE COMMITTEE, TO REVISE THE PROCEDURES REQUIRED OF A CHARTER SCHOOL APPLICANT IN REGARD TO A CHARTER SCHOOL APPLICATION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL PROVIDE GUIDANCE ON COMPLIANCE TO BOTH SPONSORS AND APPLICANTS, AND TO FURTHER PROVIDE FOR THE STANDARDS FOR A SCHOOL BOARD OF TRUSTEES OR AREA COMMISSION TO FOLLOW WHEN CONSIDERING THE DENIAL OF AN APPLICATION; TO AMEND SECTION 59‑40‑90, AS AMENDED, RELATING TO APPEAL OF FINAL DECISIONS OF A SCHOOL DISTRICT TO THE ADMINISTRATION LAW COURT, SO AS TO ALSO INCLUDE FINAL DECISIONS OF A PUBLIC OR INDEPENDENT INSTITUTION OF HIGHER LEARNING SPONSOR; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER SCHOOL SPONSOR AND THE RENEWAL OR TERMINATION OF A CHARTER BY THE SPONSOR, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN A CHARTER SCHOOL SHALL AUTOMATICALLY AND PERMANENTLY CLOSE, TO REVISE THE CRITERIA TO CONSIDER WHEN REVOKING OR NOT RENEWING A CHARTER, TO PROVIDE FOR WHEN A SPONSOR SUMMARILY MAY REVOKE A CHARTER, AND TO PROVIDE FOR THE MANNER IN WHICH STAYS OF THE REVOCATION OR NONRENEWAL OF THE CHARTER TAKE EFFECT OR MAY BE GRANTED; TO AMEND SECTION 59‑40‑115, AS AMENDED, RELATING TO THE TERMINATION OF A CHARTER SCHOOL’S CONTRACT WITH A SPONSOR, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; AND TO AMEND SECTION 59‑40‑180, AS AMENDED, RELATING TO REGULATIONS AND GUIDELINES PERTAINING TO CHARTER SCHOOLS, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE.

By prior motion of Senator MALLOY, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3853 -- Reps. Owens, Patrick, Bedingfield, Loftis, Taylor, Allison, Anthony, Brannon, Southard, Bowen, Whitmire, Limehouse, Cole, Erickson, Forrester, Harrell, Herbkersman, Hixon, Lucas, D.C. Moss, Norman, Pitts, Pope, Putnam, Simrill, G.R. Smith, Sottile, Stringer, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑111 SO AS TO AUTHORIZE AN ALTERNATIVE EDUCATION CAMPUS (AEC) TO BE ESTABLISHED BY A CHARTER SCHOOL SPONSOR WHICH SHALL CONSTITUTE A CHARTER SCHOOL SERVING A SPECIFIC STUDENT POPULATION, AND TO PROVIDE THE CRITERIA FOR A CHARTER SCHOOL TO BE DESIGNATED AS AN AEC; TO AMEND SECTION 59‑40‑55, RELATING TO A CHARTER SCHOOL SPONSOR’S POWERS AND DUTIES, SO AS TO FURTHER PROVIDE FOR THESE POWERS AND DUTIES INCLUDING THE ADOPTION OF NATIONAL INDUSTRY STANDARDS FOR THE SCHOOL, AND THE CLOSURE OF LOW PERFORMING SCHOOLS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATIONS AND THE FORMATION OF CHARTER SCHOOLS, SO AS TO PROVIDE THAT THE CHARTER SCHOOL APPLICATION MUST BE BASED ON AN APPLICATION TEMPLATE WITH COMPLIANCE GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION, AND TO FURTHER PROVIDE FOR THE CONTENTS OF THE APPLICATION AND FOR LETTERS OF INTENT TO BE SUBMITTED BY AN APPLICANT AND A CHARTER COMMITTEE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE AND ITS DUTY TO REVIEW CHARTER SCHOOL APPLICATIONS, SO AS TO DELETE THE COMMITTEE, TO REVISE THE PROCEDURES REQUIRED OF A CHARTER SCHOOL APPLICANT IN REGARD TO A CHARTER SCHOOL APPLICATION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL PROVIDE GUIDANCE ON COMPLIANCE TO BOTH SPONSORS AND APPLICANTS, AND TO FURTHER PROVIDE FOR THE STANDARDS FOR A SCHOOL BOARD OF TRUSTEES OR AREA COMMISSION TO FOLLOW WHEN CONSIDERING THE DENIAL OF AN APPLICATION; TO AMEND SECTION 59‑40‑90, AS AMENDED, RELATING TO APPEAL OF FINAL DECISIONS OF A SCHOOL DISTRICT TO THE ADMINISTRATION LAW COURT, SO AS TO ALSO INCLUDE FINAL DECISIONS OF A PUBLIC OR INDEPENDENT INSTITUTION OF HIGHER LEARNING SPONSOR; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER SCHOOL SPONSOR AND THE RENEWAL OR TERMINATION OF A CHARTER BY THE SPONSOR, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN A CHARTER SCHOOL SHALL AUTOMATICALLY AND PERMANENTLY CLOSE, TO REVISE THE CRITERIA TO CONSIDER WHEN REVOKING OR NOT RENEWING A CHARTER, TO PROVIDE FOR WHEN A SPONSOR SUMMARILY MAY REVOKE A CHARTER, AND TO PROVIDE FOR THE MANNER IN WHICH STAYS OF THE REVOCATION OR NONRENEWAL OF THE CHARTER TAKE EFFECT OR MAY BE GRANTED; TO AMEND SECTION 59‑40‑115, AS AMENDED, RELATING TO THE TERMINATION OF A CHARTER SCHOOL’S CONTRACT WITH A SPONSOR, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; AND TO AMEND SECTION 59‑40‑180, AS AMENDED, RELATING TO REGULATIONS AND GUIDELINES PERTAINING TO CHARTER SCHOOLS, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

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

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator BRYANT explained the Bill.

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40‑54‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM “PURCHASE”; TO AMEND SECTION 40‑54‑40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40‑54‑50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40‑54‑80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator SHANE MARTIN explained the Bill.

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40‑54‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM “PURCHASE”; TO AMEND SECTION 40‑54‑40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40‑54‑50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40‑54‑80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

Very respectfully,

Speaker of the House

Received as information.

**H. 3149--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40‑54‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM “PURCHASE”; TO AMEND SECTION 40‑54‑40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40‑54‑50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40‑54‑80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

On motion of Senator O’DELL, the Senate insisted upon its amendments to H. 3149 and asked for a Committee of Conference.

Whereupon, Senators O’DELL, ALLEN and BENNETT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Delleney, Tallon and Weeks to the Committee of Conference on the part of the House on:

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40‑54‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM “PURCHASE”; TO AMEND SECTION 40‑54‑40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40‑54‑50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40‑54‑80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

Very respectfully,

Speaker of the House

Received as information.

**AMENDED, AMENDMENT PROPOSED**

**OBJECTION TO FURTHER CONSIDERATION OF THE BILL**

H. 4612 -- Reps. Bales and Whipper: A BILL TO AMEND SECTION 56‑5‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF THE STATE’S UNIFORM TRAFFIC LAWS UPON THE STATE’S POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT A POLITICAL SUBDIVISION OF THE STATE THAT ENACTS AN ORDINANCE, RULE, OR REGULATION THAT IMPOSES A FINE FOR AN OFFENSE THAT EXCEEDS THE FINE IMPOSED BY A SIMILAR OFFENSE CONTAINED IN THIS CHAPTER MAY NOT COLLECT AN AMOUNT THAT EXCEEDS THE MAXIMUM FINE CONTAINED IN THE SIMILAR OFFENSE CONTAINED IN THIS CHAPTER.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

**Motion Under Rule 26B**

Senator HUTTO asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator HUTTO proposed the following amendment (4612R007.CBH), which was adopted:

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

/ SECTION 1. Chapter 7, Title 56 of the 1976 Code is amended by adding:

“Section 56‑7‑11. A state statute pursuant to the provisions of this chapter preempts any local ordinance, rule, or regulation which alters, amends, or otherwise conflicts with a state statute; and a political subdivision, county, or municipality may not enact or enforce any such local ordinance, rule, or regulation. The provisions of this section do not preempt a local ordinance, rule, or regulation that permits the use of a golf cart in designated areas within the political subdivision, county, or municipality.”

SECTION 2. Section 56‑5‑30 of the 1976 Code is amended to read:

“Section 56‑5‑30. The provisions of this chapter shall be applicable and uniform throughout this State and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any ordinance, rule, or regulation in conflict with the provisions of this chapter unless expressly authorized herein. The provisions of this section do not preempt a local ordinance, rule, or regulation that permits the use of a golf cart in designated areas within the political subdivision, county, or municipality. ~~Local authorities may, however, subject to the limitations prescribed in Section 56‑5‑930, adopt additional traffic regulations which are not in conflict with the provisions of this chapter.~~”

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator JOHNSON proposed the following amendment (4612R005.KLJ):

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

/ SECTION 1. Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑35. (A) A political subdivision, county, or municipality may not impose a fine for a violation of a local traffic ordinance, rule, or regulation that exceeds one hundred twenty five percent of the maximum fine that may be imposed in this chapter for a traffic violation, the elements of which are the same, or substantially the same as the local traffic violation. If however, the political subdivision, county, or municipality collects a fine that exceeds one hundred twenty five percent of the amount of the maximum fine allowed for that violation in this chapter, the political subdivision, county, or municipality shall remit to the State Treasurer to be credited to the state general fund the amount of excess fines collected.

(B) This section does not preclude a political subdivision, county, or municipality from charging and collecting a court cost, assessment, or surcharge in connection with a local traffic violation.”

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

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator JACKSON objected to further consideration of the Bill.

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12‑43‑225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

**Motion Under Rule 26B**

Senator ALEXANDER asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator HUTTO proposed the following amendment (BBM\  
4944C001.BBM.HTC14), which was adopted:

Amend the bill, as and if amended, by striking Section 12‑43‑225(D), as contained in SECTION 1, and inserting:

/ (D)(1) For lots which received the discount provided in subsection (B) on December 31, 2011, there is granted an additional ~~three years~~ year of eligibility for that discount in property tax years 2012, 2013, ~~and~~ 2014, and 2015, in addition to any remaining period provided for in subsection (B). If ten or more lots receiving the discount under this item are sold to a new owner primarily in the business of real estate development, the new owner may make written application within sixty days of the date of sale to the assessor for the remaining eligibility period under this item.

(2) For lots which received the discount provided in subsection (C) after December 31, 2008, and before January 1, 2012, upon written application to the assessor no later than thirty days after mailing of the property tax bill, there is granted an additional ~~three years~~ year of eligibility for that discount in property tax years 2012, 2013, ~~and~~ 2014, and 2015. If a lot receiving the additional eligibility under this item is transferred to a new owner primarily in the business of residential development or residential construction during its eligibility period, the new owner may apply to the county assessor for the discount allowed by this item for the remaining period of eligibility, which must be allowed if the new owner applied for the discount within thirty days of the mailing of the tax bill and meets the other requirements of this section. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12‑43‑225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 535 -- Senators Peeler, Alexander, L. Martin, McGill, Coleman, Jackson, Campbell, Setzler, Cromer, O’Dell, Sheheen, Turner, Fair, Ford, Nicholson, Hayes and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 119, TITLE 59, ENACTING THE “CLEMSON UNIVERSITY ENTERPRISE ACT”, SO AS TO ALLOW THE BOARD OF TRUSTEES OF CLEMSON UNIVERSITY BY RESOLUTION TO ESTABLISH AN ENTERPRISE DIVISION AS PART OF CLEMSON UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF CLEMSON UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND DISPOSITION OF REAL AND PERSONAL PROPERTY WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION AND PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTIONS 8‑11‑260, 8‑17‑370, AND 11‑35‑710, ALL AS AMENDED, AND RELATING RESPECTIVELY TO EXEMPTIONS FROM STATE PERSONNEL ADMINISTRATIONS, THE STATE EMPLOYEE GRIEVANCE PROCEDURE ACT, AND THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO ADD EXEMPTIONS CONFORMING TO THE CLEMSON UNIVERSITY ENTERPRISE ACT.

asks for a Committee of Conference, and has appointed Reps. White, Merrill and Cobb-Hunter to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 535--CONFERENCE COMMITTEE APPOINTED**

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

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

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

S. 999 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑218 SO AS TO PROVIDE THAT A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHOSE DRIVER’S LICENSE EXPIRES WHILE THE MEMBER IS SERVING OUTSIDE OF THIS STATE MAY APPLY FOR AN EXTENSION THAT LASTS UNTIL NINETY DAYS AFTER THE MEMBER RETURNS TO THE STATE OR THE TIME THE MEMBER IS DISCHARGED FROM THE ARMED FORCES, WHICHEVER OCCURS FIRST, TO PROVIDE THE APPLICATION PROCESS, AND TO SPECIFY TO WHOM EXTENSION ELIGIBILITY APPLIES.

Very respectfully,

Speaker of the House

Received as information.

**S. 999--SENATE ENROLLED FOR RATIFICATION**

S. 999 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑218 SO AS TO PROVIDE THAT A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHOSE DRIVER’S LICENSE EXPIRES WHILE THE MEMBER IS SERVING OUTSIDE OF THIS STATE MAY APPLY FOR AN EXTENSION THAT LASTS UNTIL NINETY DAYS AFTER THE MEMBER RETURNS TO THE STATE OR THE TIME THE MEMBER IS DISCHARGED FROM THE ARMED FORCES, WHICHEVER OCCURS FIRST, TO PROVIDE THE APPLICATION PROCESS, AND TO SPECIFY TO WHOM EXTENSION ELIGIBILITY APPLIES.

The Report of the Committee of 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.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3102 -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR‑STRAND DRUG TESTS OVER A NINE‑MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE‑MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT’S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT’S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

asks for a Committee of Conference, and has appointed Reps. Bannister, Weeks and McCoy to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**H. 3102--CONFERENCE COMMITTEE APPOINTED**

Whereupon, Senators MASSEY, SCOTT and YOUNG were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

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

H. 3102 -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR‑STRAND DRUG TESTS OVER A NINE‑MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE‑MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT’S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT’S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

Very respectfully,

Speaker of the House

Received as information.

**REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

H. 3102 -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR‑STRAND DRUG TESTS OVER A NINE‑MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE‑MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT’S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT’S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

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

Senator MASSEY 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 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--42**

**NAYS**

**Total--0**

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

**H. 3102--Conference Report**

The General Assembly, Columbia, S.C., June 4, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3102 -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR‑STRAND DRUG TESTS OVER A NINE‑MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE‑MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT’S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT’S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

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 43‑5‑1285 of the 1976 Code, as added by Act 102 of 1995, is amended to read:

“Section 43‑5‑1285. ~~On or about August 31, 1996, and every two years thereafter the Legislative Audit Council shall evaluate and~~ The department shall report annually to the General Assembly on the ~~success and effectiveness of the policies and programs created in this act. In conducting this evaluation the council shall identify the~~ number of ~~AFDC~~ Family Independence families and individuals no longer receiving welfare, the number of individuals who have participated in educational, employment, or training programs under this act, the number of individuals who have completed educational, employment, or training programs under this act, and the number of individuals who have become employed and the duration of their employment~~, and other data and information the council considers appropriate in reporting to the General Assembly on the effectiveness of this act~~.”

SECTION 2. Chapter 15, Title 2 of the 1976 Code is amended by adding:

“Section 2‑15‑64. Beginning December 31, 2013, and every three years thereafter, the Legislative Audit Council shall conduct a management performance audit of a program of the South Carolina Department of Social Services. The program to be reviewed will be determined after consultation with the House of Representatives and the Senate. The Legislative Audit Council is authorized to charge the Department of Social Services for federal funds, if available, for the costs associated with this audit and shall provide certification to the Department of Social Services of certified public expenditures that are eligible for matching federal funds. The Department of Social Services shall remit the federal funds to the Legislative Audit Council as reimbursement for the costs of the audit.”

SECTION 3. This act may be cited as “Jaidon’s Law”.

SECTION 4. Section 63‑7‑1680(D) of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

“(D) The third section of the plan shall set forth rights and obligations of the parents or guardian while the child is in custody including, but not limited to:

(1) the responsibility of the parents or guardian for financial support of the child during the placement; and

(2) the visitation rights and obligations of the parents or guardian during the placement.

The department may move before the family court for termination or suspension of visits between the parent or guardian and the child. The family court may order termination or suspension of the visits if ongoing contact between the parent or guardian and the child would be contrary to the best interests of the child. This section of the plan must include a notice to the parents or guardian that failure to support or visit the child as provided in the plan may result in termination of parental rights.”

SECTION 5. Section 63‑7‑1690 of the 1976 Code is amended to read:

“Section 63‑7‑1690. (A) When the conditions justifying removal pursuant to Section 63‑7‑1660 include the addiction of the parent or abuse by the parent of controlled substances, the court may require as part of the placement plan ordered pursuant to Section 63‑7‑1680:

(1) the parent to successfully ~~must~~ complete a treatment program operated by the Department of Alcohol and Other Drug Abuse Services or another treatment program approved by the department before return of the child to the home;

(2) any other adult person living in the home who has been determined by the court to be addicted to or abusing controlled substances or alcohol and whose conduct has contributed to the parent’s addiction or abuse of controlled substances or alcohol to successfully ~~must~~ complete a treatment program approved by the department before return of the child to the home; and

(3) the parent or other adult, or both, identified in item (2) ~~must~~ to submit to random testing for substance abuse and ~~must~~ to be alcohol or drug free for a period of time to be determined by the court before return of the child. The parent or other adult identified in item (2) must continue random testing for substance abuse and must be alcohol or drug free for a period of time to be determined by the court after return of the child before the case will be authorized to be closed.

(B) Results of tests ordered pursuant to this section must be submitted to the department and are admissible only in family court proceedings brought by the department.”

SECTION 6. Section 63‑7‑1710(A) of the 1976 Code is amended to read:

“(A) When a child is in the custody of the department, the department shall file a petition to terminate parental rights or shall join as party in a termination petition filed by another party if:

(1) a child has been in foster care under the responsibility of the State for fifteen of the most recent twenty‑two months;

(2) a court of competent jurisdiction has determined the child to be an abandoned infant;

(3) a court of competent jurisdiction has determined that the parent has committed murder ~~of another child of the parent or has committed~~, voluntary manslaughter ~~or~~, or homicide by child abuse of another child of the parent;

(4) a court of competent jurisdiction has determined that the parent has aided, abetted, conspired, or solicited to commit murder ~~or~~, voluntary manslaughter ~~of~~, or homicide by child abuse of another child of the parent; ~~or~~

(5) a court of competent jurisdiction has determined that the parent has committed a felony assault that has resulted in serious bodily injury to the child or to another child of the parent; or

(6) a court of competent jurisdiction has found the parent to be in wilful contempt on two occasions over a twelve‑month period for failure to comply with the terms of the treatment plan or placement plan established pursuant to subarticle 11.”

SECTION 7. Section 63‑7‑1940 of the 1976 Code is amended to read:

“Section 63‑7‑1940. (A) At a hearing pursuant to Section 63‑7‑1650 or 63‑7‑1660, at which the court orders that a child be taken or retained in custody or finds that the child was abused or neglected, the court:

(1) ~~must~~ shall order, without possibility of waiver by the department, that a person’s name be entered in the Central Registry of Child Abuse and Neglect if the court finds that there is a preponderance of evidence that the person:

(a) physically ~~or sexually abused or wilfully or recklessly neglected the child. Placement on the Central Registry cannot be waived by any party or by the court.~~ abused the child; however, if the only form of physical abuse that is found by the court is excessive corporal punishment, the court only may order that the person’s name be entered in the Central Registry if item (2) applies;

(b) sexually abused the child;

(c) wilfully or recklessly neglected the child; or

(d) gave birth to the infant and the infant tested positive for the presence of any amount of controlled substance, prescription drugs not prescribed to the mother, metabolite of a controlled substance, or the infant has a medical diagnosis of neonatal abstinence syndrome, unless the presence of the substance or metabolite is the result of a medical treatment administered to the mother of the infant during birth or to the infant;

(2) may, except as provided for in item (1), order that the person’s name be entered in the central registry if the court finds by a preponderance of evidence that:

(a) ~~that~~ the person abused or neglected the child in any manner, including the use of excessive corporal punishment; and

(b) ~~that~~ the nature and circumstances of the abuse indicate that the person would present a significant risk of committing physical or sexual abuse or wilful or reckless neglect if the person were in a position or setting outside of the person’s home that involves care of or substantial contact with children.

(B) At the probable cause hearing, the court may order that the person be entered in the central registry if there is sufficient evidence to support the findings required by subsection (A).”

SECTION 8. Section 63‑7‑2570 of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

“Section 63‑7‑2570. The family court may order the termination of parental rights upon a finding of one or more of the following grounds and a finding that termination is in the best interest of the child:

(1) The child or another child while residing in the parent’s domicile has been harmed as defined in Section 63‑7‑20, and because of the severity or repetition of the abuse or neglect, it is not reasonably likely that the home can be made safe within twelve months. In determining the likelihood that the home can be made safe, the parent’s previous abuse or neglect of the child or another child may be considered.

(2) The child has been removed from the parent pursuant to subarticle 3 or Section 63‑7‑1660~~,~~ and has been out of the home for a period of six months following the adoption of a placement plan by court order or by agreement between the department and the parent~~,~~ and the parent has not remedied the conditions which caused the removal.

(3) The child has lived outside the home of either parent for a period of six months, and during that time the parent has wilfully failed to visit the child. The court may attach little or no weight to incidental visitations, but it must be shown that the parent was not prevented from visiting by the party having custody or by court order. The distance of the child’s placement from the parent’s home must be taken into consideration when determining the ability to visit.

(4) The child has lived outside the home of either parent for a period of six months, and during that time the parent has wilfully failed to support the child. Failure to support means that the parent has failed to make a material contribution to the child’s care. A material contribution consists of either financial contributions according to the parent’s means or contributions of food, clothing, shelter, or other necessities for the care of the child according to the parent’s means. The court may consider all relevant circumstances in determining whether or not the parent has wilfully failed to support the child, including requests for support by the custodian and the ability of the parent to provide support.

(5) The presumptive legal father is not the biological father of the child, and the welfare of the child can best be served by termination of the parental rights of the presumptive legal father.

(6) The parent has a diagnosable condition unlikely to change within a reasonable time including, but not limited to, ~~alcohol or drug~~ addiction to alcohol or illegal drugs, prescription medication abuse, mental deficiency, mental illness, or extreme physical incapacity, and the condition makes the parent unlikely to provide minimally acceptable care of the child. It is presumed that the parent’s condition is unlikely to change within a reasonable time upon proof that the parent has been required by the department or the family court to participate in a treatment program for alcohol or drug addiction, and the parent has failed two or more times to complete the program successfully or has refused at two or more separate meetings with the department to participate in a treatment program.

(7) The child has been abandoned as defined in Section 63‑7‑20.

(8) The child has been in foster care under the responsibility of the State for fifteen of the most recent twenty‑two months.

(9) The physical abuse of a child of the parent resulted in the death or admission to the hospital for in‑patient care of that child and the abuse is the act for which the parent has been convicted of or pled guilty or nolo contendere to committing, aiding, abetting, conspiring to commit, or soliciting an offense against the person as provided for in Title 16, Chapter 3, criminal domestic violence as defined in Section 16‑25‑20, criminal domestic violence of a high and aggravated nature as defined in Section 16‑25‑65, or ~~the common law offense of~~ an assault and battery ~~of a high and aggravated nature~~ offense as provided in Article 7, Chapter 3, Title 16.

(10) A parent of the child pleads guilty or nolo contendere to or is convicted of the murder of the child’s other parent.

(11) Conception of a child as a result of the criminal sexual conduct of a biological parent, as found by a court of competent jurisdiction, is grounds for terminating the rights of that biological parent, unless the sentencing court makes specific findings on the record that the conviction resulted from consensual sexual conduct ~~where~~ when neither the victim nor the actor were younger than fourteen years of age nor older than eighteen years of age at the time of the offense.

(12) The parent of the child pleads guilty or nolo contendere to or is convicted of murder, voluntary manslaughter, or homicide by child abuse, of another child of the parent.”

SECTION 9. Section 63‑7‑1700(D) of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

“(D) If the court determines at the permanency planning hearing that the child may be safely maintained in the home in that the parent has remedied the conditions that caused the removal and the return of the child to the child’s parent would not cause an unreasonable risk of harm to the child’s life, physical health, safety, or mental well‑being, the court shall order the child returned to the child’s parent. The court may order a specified period of supervision and services not to exceed twelve months. When determining whether the child should be returned, the court shall consider all evidence; if the removal of the child from the family was due to drug use by one or both parents, then a drug test must be administered to the parent or both parents, as appropriate, and the results must be considered with all other evidence in determining whether the child should be returned to the parents’ care; and the supplemental report including whether the parent has substantially complied with the terms and conditions of the plan approved pursuant to Section 63‑7‑1680.”

SECTION 10. Section 17-5-540 of the 1976 Code is amended to read:

“Section 17-5-540. The coroner or medical examiner, within twenty-four hours or one working day, whichever occurs first, must notify the Department of Child Fatalities when a child dies in the county he serves:

(1) as a result of violence~~, when unattended by a physician, and~~;

(2) in any suspicious or unusual manner; or

(3) when the death is unexpected and unexplained including, but not limited to, possible sudden infant death syndrome.

~~For the purposes of this section, a child is not considered to be “unattended by a physician” when a physician has, before death, provided diagnosis and treatment following a fatal injury.~~”

SECTION 11. Section 43-1-210 of the 1976 Code is amended to read:

“The director shall prepare and submit to the Governor and the General Assembly a full and detailed report of its activities and expenditures annually, including a statement of its personnel and the salaries paid, and shall likewise make such recommendations and suggestions as it shall deem advisable in the execution of its duties to the General Assembly. In addition, this report must include, but is not limited to, the following information:

(1) the monthly total number of cases assigned, as of the last business day of every month, to each case worker in the Department of Social Services Child Protective Services Division;

(2) the monthly total number of children assigned, as of the last business day of every month, to each case worker in the Department of Social Services Child Protective Services Division;

(3) the monthly total number of children seen by the Department of Social Services within twenty-four hours of a report of abuse or neglect that were accepted for intake;

(4) the monthly total number of children that were not seen by the Department of Social Services within twenty-four hours of a report of abuse or neglect;

(5) the total number of children in foster care that were seen by the Department of Social Services each month; and

(6) the total number of children in foster care that were not seen by the Department of Social Services each month.

The Department of Social Services shall prepare and submit this report no later than March 1 of each year.”

SECTION 12. This act takes effect upon approval by the Governor. /

Amend title to conform.

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

/s/Sen. Tom Young /s/Rep. Peter McCoy

/s/Sen. John Scott /s/Rep. J. David Weeks

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

, and a message was sent to the House accordingly.

**H. 3102--SENATE ENROLLED FOR RATIFICATION**

H. 3102 -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR‑STRAND DRUG TESTS OVER A NINE‑MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE‑MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT’S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT’S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

The Report of the Committee of 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.

**H. 3124--FREE CONFERENCE POWERS GRANTED**

**FREE CONFERENCE COMMITTEE APPOINTED**

**REPORT OF THE COMMITTEE OF**

**FREE CONFERENCE ADOPTED**

H. 3124 -- Reps. Bingham, Taylor, Long and M.S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

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

Senator MASSEY explained the report.

On motion of Senator MASSEY, with unanimous consent, the Committee of Conference was granted Free Conference Powers.

**Message from the House**

Columbia, S.C., June 5, 2014

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. Bannister, McCoy and Weeks to the Committee of Free Conference on the part of the House on:

H. 3124 -- Reps. Bingham, Taylor, Long and M.S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

Very respectfully,

Speaker of the House

Received as information.

Whereupon, Senators MASSEY, COLEMAN and YOUNG were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

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

Senator MASSEY explained the report.

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

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--42**

**NAYS**

**Total--0**

On motion of Senator MASSEY, the Report of the Committee of Free Conference to H. 3124 was adopted as follows:

**H. 3124--Free Conference Report**

The General Assembly, Columbia, S.C., June 5, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3124 ‑‑ Reps. Bingham, Taylor, Long and M.S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

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. Subarticle 1, Article 3, Chapter 7, Title 63 of the 1976 Code is amended by adding:

“Section 63‑7‑315. (A) An employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee who is required or permitted to report child abuse or neglect pursuant to Section 63‑7‑310 based on the fact that the employee has made a report of child abuse and neglect.

(B) An employee who is adversely affected by conduct that is in violation of subsection (A) may bring a civil action for reinstatement and back pay. An action brought pursuant to this subsection may be commenced against an employer, including the State, a political subdivision of the State, and an office, department, independent agency, authority, institution, association, or other body in state government. An action brought pursuant to this subsection must be commenced within three years of the date the adverse personnel action occurred.

(C) In an action brought pursuant to subsection (B), the court may award reasonable attorney’s fees to the prevailing party; however, in order for the employer to receive reasonable attorney’s fees pursuant to this subsection, the court must make a finding pursuant to Section 63‑7‑2000 that: (1) the employee made a report of suspected child abuse or neglect maliciously or in bad faith; or (2) the employee is guilty of making a false report of suspected child abuse or neglect pursuant to Section 63‑7‑440.”

SECTION 2. Section 63‑7‑940(A)(7) and (8) of the 1976 Code are amended to read:

“(7) as authorized in Section 63‑7‑2000; ~~and~~

(8) the Department of Child Fatalities pursuant to Section 63‑11‑1960; and

(9)(a) the director or his designee who may disclose information to respond to an inquiry by a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department, provided that such information is reviewed in closed session and kept confidential. Notwithstanding the provisions of Chapter 4, Title 30, meetings to review information disclosed pursuant to this subitem must be held in closed session and any documents or other materials provided or reviewed during the closed session are not subject to public disclosure.

(b) The department shall state that the case was unfounded when disclosing information pursuant to this item.”

SECTION 3. Section 63‑7‑1990(G) of the 1976 Code is amended to read:

“(G)(1) The state director of the department or the director’s designee may disclose to the media information contained in child protective services records if the disclosure is limited to discussion of the department’s activities in handling the case including information placed in the public domain by other public officials, a criminal prosecution, the alleged perpetrator or the attorney for the alleged perpetrator, the party in interest, or other public judicial proceedings. For purposes of this subsection, information is considered “placed in the public domain” when it has been reported in the news media, is contained in public records of a criminal justice agency, is contained in public records of a court of law, or has been the subject of testimony in a public judicial proceeding.

(2) The director or his designee shall disclose information in records required to be kept confidential pursuant to subsection (A) to respond to an allegation made by the alleged perpetrator, the attorney for the alleged perpetrator, the party in interest, or other public officials in public testimony before a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department. The department’s response is limited to discussion of the department’s activities in handling the case relating to the allegation made in public testimony.

(3) For all other information not subject to disclosure pursuant to subsection (G)(2), the director or his designee shall disclose information in records required to be kept confidential pursuant to subsection (A) to respond to an inquiry from a committee or subcommittee of the Senate or the House of Representatives or a joint committee of the General Assembly, which is engaged in oversight or investigating the activities of the department. The information must be reviewed in a closed session and kept confidential. Notwithstanding the provisions of Chapter 4, Title 30, meetings to review information disclosed pursuant to this item must be held in closed session and any documents or other materials provided or reviewed during the closed session are not subject to public disclosure.”

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

Amend title to read.

/ TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY; AND TO AUTHORIZE AN AWARD OF ATTORNEY’S FEES TO THE PREVAILING PARTY UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 63‑7‑940, RELATING THE USE OF UNFOUNDED CASE INFORMATION IN CHILD ABUSE AND NEGLECT CASES, SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES MAY DISCLOSE INFORMATION PUT IN THE PUBLIC DOMAIN BY THE PARTY IN INTEREST IN AN ABUSE OR NEGLECT CASE; AND TO AMEND SECTION 63‑7‑1990, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT INFORMATION AND RECORDS MAINTAINED BY THE DEPARTMENT, SO AS TO AUTHORIZE THE DIRECTOR TO DISCLOSE LIMITED CONFIDENTIAL INFORMATION, TO RESPOND TO AN ALLEGATION MADE BY THE ALLEGED PERPETRATOR, THE ATTORNEY FOR THE ALLEGED PERPETRATOR, THE PARTY IN INTEREST, OR OTHER PUBLIC OFFICIALS IN PUBLIC TESTIMONY BEFORE CERTAIN COMMITTEES, SUBCOMMITTEES, AND JOINT COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES AND TO DISCLOSE LIMITED INFORMATION TO RESPOND TO AN INQUIRY FROM CERTAIN COMMITTEES, SUBCOMMITTEES, AND JOINT COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES IN CLOSED SESSION AND TO PROVIDE THAT THIS INFORMATION MUST BE KEPT CONFIDENTIAL AND IS NOT SUBJECT TO PUBLIC DISCLOSURE. /

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

/s/Sen. Creighton B. Coleman /s/Rep. Peter M. McCoy, Jr.

/s/Sen. Tom Young, Jr. /s/Rep. David Weeks

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

, and a message was sent to the House accordingly.

**COMMITTEE OF CONFERENCE**

**DEBATE INTERRUPTED**

H. 3945 -- Reps. G.M. Smith, Harrell, Lucas, Bannister, Toole, Stringer, Hamilton, Sottile, Barfield, Bingham, Spires, Hardwick, Owens, Hiott, Long, Erickson, Murphy, Horne, Willis, Gagnon, Simrill, Funderburk, Henderson and W.J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 13, TITLE 8 SO AS TO ESTABLISH THE SOUTH CAROLINA COMMISSION ON ETHICS ENFORCEMENT AND DISCLOSURE, TO PROVIDE FOR ITS POWERS, DUTIES, PROCEDURES, AND JURISDICTION, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; TO REPEAL ARTICLE 3, CHAPTER 13, TITLE 8 RELATING TO THE STATE ETHICS COMMISSION; TO REPEAL ARTICLE 5, CHAPTER 13, TITLE 8 RELATING TO THE HOUSE OF REPRESENTATIVES AND SENATE ETHICS COMMITTEES; TO AMEND SECTION 8‑13‑100, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8‑13‑700, AS AMENDED, RELATING TO USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, SO AS TO PROVIDE THAT IF A MEMBER OF THE GENERAL ASSEMBLY DETERMINES THAT HE HAS A CONFLICT OF INTEREST, HE MUST COMPLY WITH CERTAIN REQUIREMENTS BEFORE ABSTAINING FROM ALL VOTES ON THE MATTER, AND TO PROVIDE FOR WHEN A PUBLIC OFFICIAL WHO IS REQUIRED TO RECUSE HIMSELF FROM A MATTER MUST DO SO; TO AMEND SECTION 8‑13‑740, AS AMENDED, RELATING TO REPRESENTATION OF ANOTHER PERSON BY A PUBLIC OFFICIAL BEFORE A GOVERNMENTAL ENTITY, SO AS TO FURTHER DELINEATE WHAT IS CONSIDERED A CONTESTED CASE WHEN REPRESENTATION BY A MEMBER OF THE GENERAL ASSEMBLY IS PERMITTED; TO AMEND SECTION 8‑13‑745, RELATING TO PAID REPRESENTATION OF CLIENTS AND CONTRACTING BY A MEMBER OF THE GENERAL ASSEMBLY OR AN ASSOCIATE IN PARTICULAR SITUATIONS, SO AS TO DELETE A PROHIBITION AGAINST CERTAIN CONTRACTS WITH AN ENTITY FUNDED WITH GENERAL FUNDS; TO AMEND SECTION 8‑13‑1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTEREST, SO AS TO FURTHER PROVIDE FOR THESE CONTENTS; TO AMEND SECTION 8‑13‑1300, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8‑13‑1318, RELATING TO ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBTS, SO AS TO REQUIRE ANY SUCH CONTRIBUTIONS TO BE USED FOR THIS PURPOSE ONLY; TO AMEND SECTION 8‑13‑1338, RELATING TO PERSONS WHO MAY NOT SOLICIT CONTRIBUTIONS, SO AS TO INCLUDE THE HEAD OF ANY STATE AGENCY WHO IS SELECTED BY THE GOVERNOR, THE GENERAL ASSEMBLY, OR AN APPOINTED OR ELECTED BOARD; TO AMEND SECTION 8‑13‑1340, AS AMENDED, RELATING TO RESTRICTIONS ON CONTRIBUTIONS BY ONE CANDIDATE TO ANOTHER OR THROUGH COMMITTEES CONTROLLED BY A CANDIDATE, SO AS TO DELETE AN EXCEPTION FOR A COMMITTEE CONTROLLED BY A CANDIDATE IF IT IS THE ONLY SUCH COMMITTEE, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 8‑13‑1510 AND 8‑13‑1520, BOTH AS AMENDED, RELATING TO PENALTIES FOR ETHICAL AND OTHER VIOLATIONS, AND BY ADDING SECTION 8‑13‑1530 SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS AND FOR WHERE CERTAIN WILFUL VIOLATIONS MUST BE TRIED; AND TO REPEAL SECTIONS 8‑13‑710 AND 8‑13‑715 RELATING TO REPORTING OF PARTICULAR GIFTS AND AUTHORIZED REIMBURSEMENTS FOR SPEAKING ENGAGEMENTS.

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

Senator HAYES spoke on the report.

Senator HUTTO spoke on the report.

Senator RANKIN spoke on the report.

**RECESS**

At 1:10 P.M., on motion of Senator MALLOY, the Senate receded from business until 2:00 P.M.

At 2:15 P.M., the Senate resumed.

Senator HAYES resumed speaking on the Report of the Committee of Conference on H. 3945.

Senator BRIGHT spoke on the report.

**Point of Quorum**

At 2:15 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

Nicholson Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

A quorum being present, the Senate resumed.

**Objection**

Senator CORBIN asked unanimous consent to make a motion to give H. 3412 a second reading today and third reading tomorrow.

Senator BRIGHT objected.

**Motion to Ratify Adopted**

At 2:55 P.M., Senator CROMER asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at mutually convenient times prior to 5:00 P.M. on June 19, 2014.

There was no objection and a message was sent to the House accordingly.

**ACTING PRESIDENT PRESIDES**

Senator CROMER assumed the Chair.

On motion of Senator SETZLER, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Senate reverted to the morning hour to read messages from the House.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Horne, Cobb-Hunter and Newton to the Committee of Conference on the part of the House on:

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

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2014

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. G. M. Smith, Rutherford and McCoy to the Committee of Free Conference on the part of the House on:

H. 4560 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2014

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. 4560 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

Very respectfully,

Speaker of the House

Received as information.

**H. 4560--FREE CONFERENCE POWERS GRANTED**

**FREE CONFERENCE COMMITTEE APPOINTED**

**REPORT OF THE COMMITTEE OF**

**FREE CONFERENCE ADOPTED**

H. 4560 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

On motion of Senator MASSEY, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Report of the Committee of Conference was taken up for immediate consideration.

Senator MASSEY spoke on the report.

**H. 4560--Free Conference Powers Granted**

**Free Conference Committee Appointed**

H. 4560 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

On motion of Senator MASSEY, with unanimous consent, the Committee of Conference was granted Free Conference Powers.

Whereupon, Senators MASSEY, ALLEN and THURMOND were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

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

On motion of Senator MASSEY, the Report of the Committee of Free Conference to H. 4560 was adopted as follows:

**H. 4560--Free Conference Report**

The General Assembly, Columbia, S.C., June 5, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4560 -- Representatives G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

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 17‑1‑40 of the 1976 Code, as last amended by Act 75 of 2013, is further amended to read:

“Section 17‑1‑40. (A) For purposes of this section, ‘under seal’ means not subject to disclosure other than to a law enforcement or prosecution agency, and attorneys representing a law enforcement or prosecution agency, unless disclosure is allowed by court order.

~~(A)(1)~~(B)(1) ~~A person who after being~~ If a person’s record is expunged pursuant to Title 17, Chapter 22, Article 9, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge ~~is~~ was discharged, proceedings against the person ~~are~~ were dismissed, or the person ~~is~~ was found not guilty of the charge, then the arrest and booking record, ~~files~~ associated bench warrants, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge or associated bench warrants may be retained by any municipal, county, or state ~~law enforcement~~ agency. Provided, however, that:

(a) Law enforcement and prosecution agencies shall retain the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations and prosecution of the offense, and to defend the agency and the agency’s employees during litigation proceedings. The information must remain under seal. The information is not a public document and is exempt from disclosure, except by court order.

(b) ~~local and state detention~~ Detention and correctional facilities ~~may~~ shall retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years and one hundred twenty days from the date of the expungement order to manage ~~their~~ the facilities’ statistical and professional information needs, and~~, where necessary,~~ to defend ~~such~~ the facilities and the facilities’ employees during litigation proceedings, except when an action, complaint, or inquiry has been initiated. ~~Information retained by a local or state detention or correctional facility as permitted under this section after an expungement order has been issued~~ The information is not a public document and is exempt from disclosure~~.~~, ~~Such information only may be disclosed~~ except by ~~judicial~~ court order~~, pursuant to a subpoena filed in a civil action, or as needed during litigation proceedings~~.

(2) A ~~person~~ municipal, county, or state agency, or an employee of a municipal, county, or state agency that ~~otherwise~~ intentionally ~~retains the arrest and booking record, files, mug shots, fingerprints, or any evidence of the record pertaining to a charge discharged or dismissed~~ ~~pursuant to this section~~ violates this subsection is guilty of contempt of court.

(3) Nothing in this subsection requires the South Carolina Department of Probation, Parole and Pardon Services to expunge the probation records of persons whose charges were dismissed by conditional discharge pursuant to Section 44-53-450.

~~(2)~~ ~~If a person has been issued a courtesy summons pursuant to Section 22‑3‑330 or another provision of law and the charge for which the courtesy summons was issued is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency in accordance with the provisions of item (1).~~

~~In addition, a person who violates the provisions of this item is subject to the same penalty as provided in item (1).~~

(C)(1) If a person’s record is expunged pursuant to Title 17, Chapter 22, Article 9, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge was discharged, proceedings against the person were dismissed, or the person was found not guilty of the charge, then law enforcement and prosecution agencies shall retain the evidence gathered, unredacted incident and supplemental reports, and investigative files under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations, other law enforcement or prosecution purposes, and to defend the agency and the agency’s employees during litigation proceedings. The information must remain under seal. The information is not a public document, is exempt from disclosure, except by court order, and is not subject to an order for destruction of arrest records.

(2) If a request is made to inspect or obtain the incident reports pursuant to the South Carolina Freedom of Information Act, the law enforcement agency shall redact the name of the person whose record is expunged and other information which specifically identifies the person from copies of the reports provided to the person or entity making the request.

(3) If a person other than the person whose record is expunged is charged with the offense, a prosecution agency may provide the attorney representing the other person with unredacted incident and supplemental reports. The attorney shall not provide copies of the reports to a person or entity nor share the contents of the reports with a person or entity, except during judicial proceedings or as allowed by court order.

(4) A person who intentionally violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

(5) Nothing in this subsection prohibits evidence gathered or information contained in incident reports or investigation and prosecution files from being used for the investigation and prosecution of a criminal case or for the defense of a law enforcement or prosecution agency or agency employee.

~~(B)~~(D) A municipal, county, or state agency may not collect a fee for the destruction of records pursuant to ~~the provisions of~~ this section.

~~(C)~~(E)(1) This section does not apply to a person who is charged with a violation of Title 50, Title 56, or an enactment pursuant to the authority of counties and municipalities provided in Titles 4 and 5~~, or any other state criminal offense if the person is not fingerprinted for the violation~~.

~~(D)~~(2) If a charge enumerated in ~~subsection (C)~~ item (1) is discharged, proceedings against the person are dismissed, ~~or~~ the person is found not guilty of the charge, or the person’s record is expunged pursuant to Title 17, Chapter 22, Article 9, the charge must be removed from any Internet‑based public record no later than thirty days from the disposition date.

~~(E)~~(F) The State Law Enforcement Division is authorized to promulgate regulations that allow for the electronic transmission of information pursuant to this section.

(G) Unless there is an act of gross negligence or intentional misconduct, nothing in this section gives rise to a claim for damages against the State, a state employee, a political subdivision of the State, an employee of a political subdivision of the State, a public officer, or other persons.”

SECTION 2. Section 22-5-910 of the 1976 Code, as last amended by Act 75 of 2013, is further amended to read:

“Section 22-5-910. (A) Following a first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this section does not apply to:

(1) an offense involving the operation of a motor vehicle;

(2) a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized; or

(3) an offense contained in Chapter 25, Title 16, except first offense criminal domestic violence as contained in Section 16‑25‑20, which may be expunged five years from the date of the conviction.

(B) If the defendant has had no other conviction during the three‑year period, or during the five‑year period as provided in subsection (A)(3), following the first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of not more than one thousand dollars, or both, including a conviction in magistrates or general sessions court, the circuit court may issue an order expunging the records including any associated bench warrant. No person may have his records expunged under this section more than once. A person may have his record expunged even though the conviction occurred prior to June 1, 1992.

(C) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34‑11‑95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

(D) As used in this section, ‘conviction’ includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail.”

SECTION 3. Section 17-22-910 of the 1976 Code is amended to read:

“Section 17-22-910. Applications for expungement of all criminal records must be administered by the solicitor’s office in each circuit in the State as authorized pursuant to:

(1) Section 34‑11‑90(e), first offense misdemeanor fraudulent check;

(2) Section 44‑53‑450(b), conditional discharge ~~for simple possession of marijuana or hashish~~;

(3) Section 22‑5‑910, first offense conviction in magistrates court;

(4) Section 22‑5‑920, youthful offender act;

(5) Section 56‑5‑750(f), first offense failure to stop when signaled by a law enforcement vehicle;

(6) Section 17‑22‑150(a), pretrial intervention;

(7) Section 17‑1‑40, criminal records destruction, except as provided in Section 17‑22‑950;

(8) Section 20‑7‑8525, juvenile expungements;

(9) Section 17‑22‑530(a), alcohol education program; ~~and~~

(10) Section 17-22-330(A), traffic education program; and

(11) any other statutory authorization.”

SECTION 4. Section 17-22-940(E) of the 1976 Code is amended to read:

“(E) In cases when charges are sought to be expunged pursuant to Section 17‑22‑150(a), 17‑22‑530(a), 22‑5‑910, or 44‑53‑450(b), the circuit pretrial intervention director, alcohol education program director, traffic education program director, or summary court judge shall attest by signature on the application to the eligibility of the charge for expungement before either the solicitor or his designee and then the circuit court judge, or the family court judge in the case of a juvenile, signs the application for expungement.”

SECTION 5. Section 17-22-950 of the 1976 Code is amended to read:

“Section 17-22-950. (A)(1) When criminal charges are brought in a summary court and the accused person is found not guilty or if the charges are dismissed or nolle prossed, pursuant to Section 17‑1‑40, the presiding judge of the summary court, at no cost to the accused person, immediately shall issue an order to expunge the criminal records, including any associated bench warrants, of the accused person unless the dismissal of the charges occurs at a preliminary hearing or unless the accused person has charges pending in summary court and a court of general sessions and such charges arise out of the same course of events. This expungement must occur no sooner than the appeal expiration date and no later than thirty days after the appeal expiration date. ~~Upon~~ Except as provided in item 2, upon issuance of the order, the judge of the summary court or a member of the summary court staff must coordinate with SLED to confirm that the criminal charge is statutorily appropriate for expungement; obtain and verify the presence of all necessary signatures; file the completed expungement order with the clerk of court; provide copies of the completed expungement order to all governmental agencies which must receive the order including, but not limited to, the arresting law enforcement agency, the detention facility or jail, the solicitor’s office, the magistrates or municipal court where the arrest or bench warrant originated, the magistrates or municipal court that was involved in any way in the criminal process of the charge or bench warrant sought to be expunged, and SLED. The judge of the summary court or a member of the summary court staff also must provide a copy of the completed expungement order to the applicant or his retained counsel. The prosecuting agency or appropriate law enforcement agency may file an objection to a summary court expungement. If an objection is filed by the prosecuting agency or law enforcement agency, that expungement then must be heard by the judge of a general sessions court. The prosecuting agency’s or the appropriate law enforcement agency’s reason for objecting must be that the:

~~(1)~~(a) accused person has other charges pending;

~~(2)~~(b) prosecuting agency or the appropriate law enforcement agency believes that the evidence in the case needs to be preserved; or

~~(3)~~(c) accused person's charges were dismissed as a part of a plea agreement.

(2) If criminal charges are brought in a summary court and the accused person is found not guilty, or the charges are dismissed or nolle prossed pursuant to Section 17‑1‑40, and the person was not fingerprinted for the violation, then, upon issuance of the order, the summary court shall coordinate with the arresting law enforcement agency to confirm that the person was not fingerprinted for the violation; obtain and verify all necessary signatures; and provide copies of the completed expungement order to the arresting law enforcement agency and all summary courts that were involved in the criminal process of the charges. The summary court is not required to provide copies of the completed expungement order to SLED. All summary courts that were involved in the criminal process of the charges shall destroy all documentation related to the charges, including, but not limited to, removing the charges from Internet-based public records. All other provisions of subsection (A)(1) apply.

(B) If the prosecuting agency or the appropriate law enforcement agency objects to an expungement order being issued pursuant to subsection (A)~~(2)~~(1)(b), the prosecuting agency or appropriate law enforcement agency must notify the accused person of the objection. This notice must be given in writing at the address listed on the accused person's bond form, or through his attorney, no later than thirty days after the person is found not guilty or his charges are dismissed or nolle prossed.”

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

Amend title to conform.

/s/Sen. A. Shane Massey /s/Rep. G. Murrell Smith, Jr.

/s/Sen. Karl B. Allen /s/Rep. J. Todd Rutherford

/s/Sen. Paul Thurmond /s/Rep. Peter M. McCoy, Jr.

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

, and a message was sent to the House accordingly.

**H. 4560--SENATE ENROLLED FOR RATIFICATION**

H. 4560 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

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.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Daning, Simrill and Vick to the Committee of Conference on the part of the House on:

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

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

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

Very respectfully,

Speaker of the House

Received as information.

**H. 4665--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

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

On motion of Senator CLEARY, the Senate insisted upon its amendments to H. 4665 and asked for a Committee of Conference.

Whereupon, Senators CLEARY, SHEALY and COLEMAN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Alexander, Erickson and H.A. Crawford to the Committee of Conference on the part of the House on:

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

Very respectfully,

Speaker of the House

Received as information.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CONCURRENCE**

S. 1341 -- Senator Hutto: A JOINT RESOLUTION TO ESTABLISH THE BARNWELL COUNTY SCHOOL CONSOLIDATION STUDY COMMITTEE TO EXPLORE THE CONSOLIDATION OF THE THREE PRESENT SCHOOL DISTRICTS OF THE COUNTY, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE AND THE ISSUES IT SHALL CONSIDER, AND TO PROVIDE THAT THE COMMITTEE IS DISSOLVED UPON THE SUBMISSION OF ITS REPORT TO THE COUNTY LEGISLATIVE DELEGATION WHICH MUST BE SUBMITTED NO LATER THAN MARCH 1, 2015.

The House returned the Joint Resolution with amendments, the question being concurrence in the House amendments.

On motion of Senator HUTTO, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Joint Resolution was taken up for immediate consideration.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**CONCURRENCE**

S. 516 -- Senators Peeler, Fair, Hayes, Courson, Young, Setzler, Malloy, Leatherman, Lourie, L. Martin, Johnson, Jackson, Allen, Rankin, Scott and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA READ TO SUCCEED ACT”; BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND A READING PROFICIENCY PANEL WITHIN THE OFFICE, AND TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF EDUCATION, SCHOOL DISTRICTS, COLLEGES, AND UNIVERSITIES THAT OFFER CERTAIN RELATED GRADUATE EDUCATION, AND EDUCATORS AND ADMINISTRATORS, AMONG OTHER THINGS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

On motion of Senator PEELER, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Bill was taken up for immediate consideration.

Senator PEELER explained the amendments.

The question then was concurrence in the House amendments.

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

**Ayes 40; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

McElveen McGill Nicholson

O’Dell Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--40**

**NAYS**

Bright Bryant Corbin

*Martin, Shane*

**Total--4**

The Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**NONCONCURRENCE**

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

The House returned the Bill with amendments, the question being concurrence in the House amendments.

On motion of Senator GREGORY, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Bill was taken up for immediate consideration.

Senator GREGORY explained the amendments.

On motion of Senator GREGORY, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 5, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

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

asks for a Committee of Conference, and has appointed Reps. Gambrell, Hayes and Norrell to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**H. 4061--CONFERENCE COMMITTEE APPOINTED**

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

Whereupon, Senators HAYES, MALLOY and CLEARY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**H. 4061--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

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

On motion of Senator HAYES, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HAYES spoke on the report.

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

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--42**

**NAYS**

**Total--0**

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

**H. 4061--Conference Report**

The General Assembly, Columbia, S.C., June 5, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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 59‑32‑20 of the 1976 Code is amended to read:

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

(B) In addition to the provisions of subsection (A), before September 1, 2015, the board, through the department, shall select or develop instructional units in sexual abuse and assault awareness and prevention, with separate units appropriate for each age level from four‑year old kindergarten through twelfth grade.”

SECTION 2. Section 59‑32‑30 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) Beginning with the 2015‑2016 school year, districts annually shall provide age‑appropriate instruction in sexual abuse and assault awareness and prevention to all students in four‑year old kindergarten, where offered, through twelfth grade. This instruction must be based on the units developed by the board, through the department, in Section 59‑32‑20(B).”

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

Amend title to conform.

/s/Sen. Robert W. Hayes, Jr. /s/Rep. Mandy Powers Norrell

/s/Sen. Raymond E. Cleary III /s/Rep. Jackie E. Hayes

/s/Sen. Gerald Malloy /s/Rep. Michael W. Gambrell

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

, and a message was sent to the House accordingly.

**Motion Adopted**

Senator HAYES moved under the provisions of Rule 32A to vary the Order of the Day.

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

**Ayes 39; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--39**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

The Senate agreed to vary the Order of the Day.

**REPORT OF THE COMMITTEE OF CONFERENCE**

**DEBATE INTERRUPTED**

S. 940 -- Senators Young, Massey, Setzler and Peeler: A BILL TO AMEND SECTION 4‑10‑470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO ALLOW A COUNTY THAT DOES NOT COLLECT A CERTAIN AMOUNT IN ACCOMMODATIONS TAX TO IMPOSE THE SALES TAX SO LONG AS NO PORTION OF THE COUNTY AREA IS SUBJECT TO MORE THAN TWO PERCENT TOTAL SALES TAX.

On motion of Senator O’DELL, with unanimous consent, with Senator BRIGHT holding the floor on H. 3945, the Senate proceeded to a consideration of the report, the question being the adoption of Report of Committee of Conference.

Senator O’DELL explained the Conference Report.

Senator BRYANT spoke on the Conference Report.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 5, 2014, at 4:55 P.M. and the following Acts and Joint Resolutions were ratified:

(R267, S. 75) -- Senator Cromer: AN ACT TO AMEND CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-57-115 SO AS TO REQUIRE THE SOUTH CAROLINA REAL ESTATE COMMISSION TO REQUIRE INITIAL LICENSURE APPLICANTS TO SUBMIT TO A NATIONAL AND A STATE CRIMINAL RECORDS CHECK; TO AMEND SECTION 40-57-150, RELATING TO INVESTIGATIONS, SO AS TO REQUIRE INVESTIGATORS TO COMPLETE ONE HUNDRED HOURS OF TRAINING IN PROGRAMS APPROVED BY THE SOUTH CAROLINA REAL ESTATE COMMISSION, TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO CONCLUDE THE INVESTIGATION WITHIN ONE HUNDRED FIFTY DAYS OF RECEIPT OF THE COMPLAINT, AND TO PROVIDE REPORTING REQUIREMENTS; AND TO AMEND SECTION 40-57-145, RELATING TO GROUNDS FOR DISCIPLINE OR DENIAL OF LICENSURE, SO AS TO AUTHORIZE THE SOUTH CAROLINA REAL ESTATE COMMISSION TO DISCIPLINE OR DENY LICENSURE IF THE APPLICANT IS CONVICTED OF CERTAIN CRIMES.

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(R268, S. 176) -- Senator Young: AN ACT TO AMEND SECTION 22‑3‑1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, SO AS TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS, AND TO PROVIDE AN EXCEPTION FOR MOTIONS FOR A NEW TRIAL MADE UNDER CHAPTERS 37 AND 40, TITLE 27.

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(R269, S. 437) -- Senators Cleary, Reese, Rankin, Campsen, Hembree, Davis, McGill, Thurmond, Campbell, Cromer and Ford: AN ACT TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VALUATION AND CLASSIFICATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE THAT THE OWNER‑OCCUPANT OF RESIDENTIAL PROPERTY QUALIFIES FOR THE FOUR PERCENT ASSESSMENT RATIO ALLOWED OWNER‑OCCUPIED RESIDENTIAL PROPERTY, IF THE OWNER IS OTHERWISE QUALIFIED AND THE RESIDENCE IS NOT RENTED FOR MORE THAN SEVENTY‑TWO DAYS A YEAR, AND TO DELETE OTHER REFERENCES TO THE RENTAL OF THESE RESIDENCES; TO AMEND SECTION 12‑54‑240, AS AMENDED, RELATING TO DISCLOSURE OF RECORDS, REPORTS, AND RETURNS WITH THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE VERIFICATION THAT THE FEDERAL SCHEDULE E CONFORMS WITH THE SAME DOCUMENT REQUIRED BY A COUNTY ASSESSOR IS NOT PROHIBITED; TO AMEND SECTION 12‑36‑920, AS AMENDED, RELATING TO THE SEVEN PERCENT STATE SALES TAX IMPOSED ON ACCOMMODATIONS, SO AS TO PROVIDE THAT THE TAX DOES NOT APPLY TO GROSS PROCEEDS FROM RENTALS RECEIVED BY PERSONS RENTING THEIR PERSONAL RESIDENCE FOR FEWER THAN FIFTEEN DAYS TOTAL IN A YEAR AND IF THE GROSS PROCEEDS OF THE RENTAL INCOME ARE EXCLUDED FROM FEDERAL TAXABLE INCOME PURSUANT TO THE PROVISIONS OF SECTION 280A(g) OF THE INTERNAL REVENUE CODE OF 1986; TO AMEND SECTION 12‑37‑220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCLUDE CERTAIN RELIGIOUS TRUSTS IN EXEMPTING PROPERTY USED FOR THE HOLDING OF ITS MEETINGS WHEN NO PROFIT OR BENEFIT INURES TO THE BENEFIT OF ANY STOCKHOLDER OR INDIVIDUAL; TO AMEND SECTION 12‑24‑40, RELATING TO EXEMPTIONS FROM DEED RECORDING FEES, SO AS TO EXEMPT TRANSFERS FROM A TRUST ESTABLISHED FOR THE BENEFIT OF A RELIGIOUS ORGANIZATION TO THE RELIGIOUS ORGANIZATION; AND TO AMEND SECTION 12‑43‑220, AS AMENDED, RELATING TO THE FOUR PERCENT SPECIAL ASSESSMENT RATIO, SO AS TO PROVIDE THAT AN ELIGIBILITY PROVISION REQUIRING A CERTAIN OWNERSHIP PERCENTAGE DOES NOT APPLY IF THE PROPERTY IS HELD BY A TRUST, FAMILY LIMITED PARTNERSHIP, OR LIMITED LIABILITY COMPANY UNDER CERTAIN SITUATIONS, AND TO PROVIDE THAT IF A PERSON RESIDES IN A MOBILE HOME OR SINGLE FAMILY RESIDENCE AND ONLY RENTS A PORTION OF THE MOBILE HOME OR SINGLE FAMILY RESIDENCE TO ANOTHER INDIVIDUAL AS A RESIDENCE, THE PERSON MAY CLAIM THE FOUR PERCENT ASSESSMENT RATIO.

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(R270, S. 459) -- Senators Sheheen, Rankin, Alexander and Lourie: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑3890 SO AS TO DEFINE CERTAIN TERMS RELATED TO THE USE AND OPERATION OF A WIRELESS ELECTRONIC COMMUNICATION DEVICE, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE A WIRELESS ELECTRONIC COMMUNICATION DEVICE TO COMPOSE, SEND, OR READ A TEXT‑BASED COMMUNICATION WHILE OPERATING A MOTOR VEHICLE ON THE PUBLIC HIGHWAYS OF THIS STATE, TO PROVIDE EXCEPTIONS TO THIS PROHIBITION, TO PROVIDE A PENALTY FOR A VIOLATION OF THIS SECTION, TO PROVIDE THAT A VIOLATION OF THIS SECTION MUST NOT BE INCLUDED IN THE OFFENDER’S MOTOR VEHICLE RECORD OR REPORTED TO HIS MOTOR VEHICLE INSURER, TO PROVIDE THAT LAW ENFORCEMENT OFFICERS SHALL ISSUE ONLY WARNINGS FOR VIOLATIONS OF THIS SECTION DURING THE FIRST ONE HUNDRED EIGHTY DAYS AFTER ITS EFFECTIVE DATE, TO PLACE CERTAIN RESTRICTIONS ON LAW ENFORCEMENT OFFICERS WHO ENFORCE THIS SECTION, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN STATISTICAL INFORMATION REGARDING CITATIONS ISSUED PURSUANT TO THIS SECTION, AND TO PROVIDE THAT THIS SECTION PREEMPTS ALL ORDINANCES, REGULATIONS, AND RESOLUTIONS ADOPTED BY LOCAL GOVERNMENTAL ENTITIES REGARDING PERSONS USING WIRELESS ELECTRONIC COMMUNICATION DEVICES WHILE OPERATING MOTOR VEHICLES ON THE PUBLIC HIGHWAYS OF THIS STATE.

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(R271, S. 474) -- Senator Setzler: AN ACT TO AMEND SECTION 12‑21‑2420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE ADMISSIONS LICENSE TAX, SO AS TO EXEMPT ADMISSIONS CHARGED BY THE STATE MUSEUM.

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(R272, S. 809) -- Senator Leatherman: AN ACT TO AMEND SECTION 4‑10‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CAPITAL PROJECTS SALES TAX, SO AS TO DELETE A PROVISION ALLOWING THE REFERENDUM FOR IMPOSITION OR REIMPOSITION TO BE HELD AT A TIME OTHER THAN AT THE TIME OF THE GENERAL ELECTION.

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(R273, S. 840) -- Senator Bryant: AN ACT TO AMEND SECTION 44‑53‑1630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE PRESCRIPTION MONITORING PROGRAM DEFINITIONS, SO AS TO ADD A DEFINITION FOR “AUTHORIZED DELEGATE”; TO AMEND SECTION 44‑53‑1640, RELATING TO REQUIREMENTS FOR DISPENSERS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO REQUIRE DAILY SUBMISSION; TO AMEND SECTION 44‑53‑1650, RELATING TO CONFIDENTIALITY AND AUTHORIZED RELEASE OF PRESCRIPTION INFORMATION, SO AS TO ALLOW THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO RELEASE DATA TO AN AUTHORIZED DELEGATE; TO AMEND SECTION 44‑53‑1680, RELATING TO PENALTIES FOR VIOLATING PROGRAM REQUIREMENTS, SO AS TO CREATE A CRIMINAL PENALTY FOR AN AUTHORIZED DELEGATE WHO VIOLATES PROGRAM REQUIREMENTS AND TO REQUIRE REPORTING OF PHYSICIANS AND PHARMACISTS TO THEIR LICENSING BOARDS FOR CERTAIN VIOLATIONS; AND TO AMEND SECTION 40‑47‑40, RELATING TO PHYSICIAN CONTINUING EDUCATION REQUIREMENTS, SO AS TO REQUIRE CONTINUING EDUCATION REGARDING PRESCRIPTION DISPENSING AND MONITORING.

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(R274, S. 872) -- Senators Fair, Hutto, Jackson and L. Martin: AN ACT TO AMEND SECTION 63‑1‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2023, AND TO DELETE OBSOLETE PROVISIONS.

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(R275, S. 876) -- Senators Cromer and Campsen: AN ACT TO AMEND SECTION 50‑11‑355, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL DEER HUNTING NEAR A RESIDENCE, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO HUNT DEER WITH A FIREARM WITHIN THREE HUNDRED YARDS OF A RESIDENCE WHEN LESS THAN TEN FEET ABOVE THE GROUND WITHOUT THE PERMISSION OF THE OWNER AND OCCUPANT.

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(R276, S. 894) -- Senators Massey and Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14‑1‑240 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE TO FUND TRAINING AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY MUST BE LEVIED ON ALL FINES, FORFEITURES, ESCHEATMENTS, OR OTHER MONETARY PENALTIES IMPOSED IN THE GENERAL SESSIONS COURT OR IN MAGISTRATES OR MUNICIPAL COURT FOR MISDEMEANOR TRAFFIC OFFENSES OR FOR NONTRAFFIC VIOLATIONS, TO PROVIDE FOR THE TRANSMITTAL OF REVENUE COLLECTED FROM THE SURCHARGE, TO PROVIDE FOR THE EXAMINATION OF FINANCIAL RECORDS BY THE STATE AUDITOR UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE ACT SHALL SUNSET ON JUNE 30, 2016.

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(R277, S. 897) -- Senator Coleman: AN ACT TO AMEND SECTION 1‑11‑730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR STATE HEALTH AND DENTAL PLAN COVERAGE, SO AS TO PROVIDE THAT A PERSON WHO RETIRES FROM EMPLOYMENT WITH A SOLICITOR’S OFFICE UNDER A STATE RETIREMENT SYSTEM IS ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL PLANS BY PAYING THE FULL PREMIUM AS DETERMINED BY THE BOARD IF AT LEAST ONE COUNTY IN THE JUDICIAL CIRCUIT COVERED BY THAT SOLICITOR’S OFFICE PARTICIPATES IN THE STATE HEALTH AND DENTAL PLANS AND THE PERSON’S LAST FIVE YEARS OF EMPLOYMENT PRIOR TO RETIREMENT ARE CONSECUTIVE AND IN A FULL‑TIME PERMANENT POSITION WITH THAT SOLICITOR’S OFFICE OR ANOTHER ENTITY THAT PARTICIPATES IN THE STATE HEALTH AND DENTAL PLANS; TO REQUIRE THAT THESE PROVISIONS BE INTERPRETED TO PROVIDE ELIGIBILITY TO THE EMPLOYEE, RETIREE, AND THEIR ELIGIBLE DEPENDENTS; AND TO MAKE THESE PROVISIONS RETROACTIVE TO JANUARY 1, 2012.

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(R278, S. 909) -- Senator Hayes: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑90‑165 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY DECLARE A CAPTIVE INSURANCE COMPANY INACTIVE IN CERTAIN CIRCUMSTANCES AND THAT THE DIRECTOR MAY MODIFY THE MINIMUM TAX PREMIUM APPLICABLE TO THE COMPANY DURING INACTIVITY; BY ADDING SECTION 38‑90‑215 SO AS TO PROVIDE A PROTECTED CELL MAY BE EITHER INCORPORATED OR UNINCORPORATED, AND TO PROVIDE REQUIREMENTS FOR EACH; BY ADDING SECTION 38‑90‑250 SO AS TO PROVIDE THE DEPARTMENT MUST CONSIDER A LICENSED CAPTIVE INSURANCE COMPANY THAT MEETS THE REQUIREMENTS OF AN INSURER FOR ISSUANCE OF A CERTIFICATE OF AUTHORITY TO ACT AS AN INSURER; TO AMEND SECTION 38‑90‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE ADDITIONAL TERMS AND REVISE DEFINITIONS OF CERTAIN EXISTING TERMS; TO AMEND SECTION 38‑90‑20, AS AMENDED, RELATING TO THE DOCUMENTATION REQUIRED FOR LICENSING CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE THE REQUIREMENT OF A CERTIFICATE OF GENERAL GOOD ISSUED BY THE DIRECTOR; TO AMEND SECTION 38‑90‑35, RELATING TO THE CONFIDENTIALITY OF INFORMATION CONCERNING CAPTIVE INSURANCE COMPANIES SUBMITTED TO THE DEPARTMENT OF INSURANCE, SO AS TO REVISE REQUIREMENTS FOR MAKING THE INFORMATION SUBJECT TO DISCOVERY IN A CIVIL ACTION; TO AMEND SECTION 38‑90‑40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS, SECURITY REQUIREMENTS, AND RESTRICTIONS ON DIVIDEND PAYMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES AND RISK RETENTION GROUPS, TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK, AND TO REVISE REQUIREMENTS FOR CONTRIBUTIONS TO A CAPTIVE INSURANCE COMPANY INCORPORATED AS A NONPROFIT, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS OF A CAPTIVE INSURANCE COMPANY, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES FORMED AS A RISK RETENTION GROUP, AND TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK; TO AMEND SECTION 38‑90‑55, AS AMENDED, RELATING TO THE INCORPORATION OF CAPTIVE INSURANCE COMPANIES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE, AND THE ISSUANCE OF CAPITAL STOCK AT PAR VALUE; TO AMEND SECTION 38‑90‑60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE AVAILABLE OPTIONS; TO AMEND SECTION 38‑90‑70, AS AMENDED, RELATING TO REPORTING REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES AND CAPTIVE REINSURANCE COMPANIES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS; TO AMEND SECTION 38‑90‑80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF CAPTIVE INSURANCE COMPANIES BY THE DEPARTMENT, SO AS TO DELETE REFERENCES TO PURE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38‑90‑90, AS AMENDED, RELATING TO THE SUSPENSION OR REVOCATION OF A CAPTIVE INSURANCE LICENSE, SO AS TO MAKE A GRAMMATICAL CHANGE; TO AMEND SECTION 38‑90‑100, AS AMENDED, RELATING TO THE LOANS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE A SPONSORED CAPTIVE INSURANCE COMPANY MAY MAKE LOANS TO ITS PARENT COMPANY IN CERTAIN CIRCUMSTANCES AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 38‑90‑110, AS AMENDED, RELATING TO CREDIT RESERVES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS; TO AMEND SECTION 38‑90‑130, AS AMENDED, RELATING THE PROHIBITION AGAINST PARTICIPATION IN PLAN, POOL, ASSOCIATION, GUARANTY, OR INSOLVENCY FUNDS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE CAPTIVE INSURANCE COMPANIES, INCLUDING PURE CAPTIVE INSURANCE COMPANIES, MAY PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑160, AS AMENDED, RELATING TO APPLICABILITY OF THE CHAPTER, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS; TO AMEND SECTION 38‑90‑180, AS AMENDED, RELATING TO THE APPLICABILITY OF SPONSORED CAPTIVE INSURANCE COMPANY ASSETS AND CAPITAL PROVISIONS, SO AS TO PROVIDE REQUIREMENTS FOR THE NAME OF NEW CAPTIVE INSURANCE COMPANIES, TO PROVIDE CIRCUMSTANCES IN WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH PROTECTED CELLS, INCLUDING REQUIREMENTS FOR A PLAN OF OPERATION, THE ATTRIBUTIONS OF ASSETS AND LIABILITIES BETWEEN A PROTECTED CELL AND THE GENERAL ACCOUNT OF THE SPONSORED CAPTIVE INSURANCE COMPANY, AND ADMINISTRATIVE AND ACCOUNTING PROCEDURES; TO AMEND SECTION 38‑90‑210, RELATING TO THE SEPARATE ACCOUNTING OF PROTECTED CELLS WHEN ESTABLISHED, SO AS TO REQUIRE THIS ACCOUNTING MUST REFLECT THE PARTICIPANTS OF THE PROTECTED CELL IN ADDITION TO EXISTING REQUIREMENTS; TO AMEND SECTION 38‑90‑220, AS AMENDED, RELATING TO CERTAIN REQUIREMENTS APPLICABLE TO SPONSORS OF CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38‑90‑230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THAT PROTECTED CELLS ASSETS ARE ONLY AVAILABLE TO CREDITORS OF THE SPONSORED CAPTIVE INSURANCE COMPANY AND RELATED REQUIREMENTS, AND TO PROVIDE REQUIREMENTS CONCERNING OBLIGATIONS OF SPONSORED CAPTIVE INSURANCE COMPANIES WITH RESPECT TO PROTECTED CELLS AND ITS GENERAL ACCOUNT; TO AMEND SECTION 38‑90‑240, RELATING TO THE ELIGIBILITY OF A LICENSED CAPTIVE INSURANCE COMPANY FOR CERTIFICATE OF AUTHORITY TO ACT AS INSURER, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE FOR WHO MAY PARTICIPATE IN A SPONSORED CAPTIVE INSURANCE COMPANY AND OBLIGATIONS OF THESE PARTICIPANTS, AND TO PROVIDE SPONSORED CAPTIVE INSURANCE COMPANIES MAY NOT BE USED TO FACILITATE INSURANCE SECURITIZATION TRANSACTIONS; TO AMEND SECTION 38‑90‑450, AS AMENDED, RELATING TO ORGANIZATION REQUIREMENTS FOR SPECIAL PURPOSE FINANCIAL CAPTIVES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, AND PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE; AND TO REPEAL SECTION 38‑90‑235 RELATING TO TERMS AND CONDITIONS FOR PROTECTED CELL INSURANCE COMPANIES TO APPLY TO SPONSORED CAPTIVE INSURANCE COMPANIES.

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(R279, S. 964) -- Senator L. Martin: AN ACT TO AMEND SECTION 6‑1‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT THE GOVERNING BODY OF A FIRE DISTRICT THAT EXISTED ON JANUARY 1, 2014, WHICH SERVES LESS THAN SEVEN HUNDRED HOMES, MAY ADOPT AN ORDINANCE OR RESOLUTION REQUESTING THE GOVERNING BODY OF THE COUNTY TO CONDUCT A REFERENDUM TO SUSPEND THE MILLAGE RATE INCREASE LIMITATION FOR FIRE DISTRICT GENERAL OPERATING EXPENSES, AND TO PROVIDE THAT THE GOVERNING BODY OF A COUNTY MAY ADOPT AN ORDINANCE, SUBJECT TO REFERENDUM, TO SUSPEND THE MILLAGE RATE INCREASE LIMITATION FOR THE PURPOSE OF IMPOSING A SPECIAL MILLAGE NOT TO EXCEED SIX‑TENTHS OF A MILL FOR COUNTY MENTAL HEALTH SERVICES.

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(R280, S. 985) -- Senator Cleary: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 1, TITLE 6, SO AS TO ENACT THE “FAIRNESS IN LODGING ACT”, TO ALLOW MUNICIPALITIES AND COUNTIES BY ORDINANCE TO IMPLEMENT ADDITIONAL ENFORCEMENT PROVISIONS FOR THE LOCAL ACCOMMODATIONS TAX AS THOSE PROVISIONS APPLY TO THE OWNERS OF RESIDENTIAL REAL PROPERTY WHO RENT THE PROPERTY TO TOURISTS, INCLUDING DATA SHARING WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SPECIFIC NOTICE TO PROPERTY OWNERS INCLUDED IN PROPERTY TAX BILLS, AN ADDITIONAL PENALTY THAT MAY BE IMPOSED FOR NONCOMPLIANCE AFTER THE RECEIPT OF SUCH A NOTICE, AND DIRECTIONS TO THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO IDENTIFY “RENTAL BY OWNER” WEBSITES ADVERTISING TOURISTS RENTALS AND REQUEST THEM TO POST ON THE WEBSITES A STATEMENT REGARDING THE LEGAL OBLIGATIONS OF THE OWNERS OF PROPERTY IN THIS STATE LISTED ON THE WEBSITE, TO PAY ALL APPLICABLE LOCAL AND STATE TAXES AND FEES WITH RESPECT TO SUCH RENTALS; AND TO AMEND SECTIONS 6‑1‑120, 12‑54‑240, AS AMENDED, AND 12‑4‑310, RELATING RESPECTIVELY TO THE CONFIDENTIALITY OF LOCAL AND STATE TAX DATA AND EXCEPTIONS THERETO, AND THE DUTIES OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SO AS TO CONFORM THEM TO THE PROVISIONS OF THIS ACT.

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(R281, S. 986) -- Senators Campsen and Young: AN ACT TO AMEND SECTION 50‑1‑90 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING, FISHING, OR TRAPPING OF GAME WITHOUT THE CONSENT OF A LANDOWNER OR MANAGER, SO AS TO INCREASE THE FINE FOR A VIOLATION OF THIS PROVISION, AND TO PROVIDE THAT THE MAGISTRATES COURT HAS CONCURRENT JURISDICTION TO HEAR FIRST AND SECOND OFFENSE VIOLATIONS UNDER THIS SECTION; AND TO AMEND SECTION 50‑9‑1120, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE POINT SYSTEM FOR VIOLATIONS OF THE PROVISIONS THAT REGULATE THE HUNTING, FISHING, AND TRAPPING OF GAME, SO AS TO REVISE THE POINTS ASSOCIATED WITH CERTAIN VIOLATIONS.

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(R282, S. 988) -- Senator Cromer: AN ACT TO AMEND SECTION 27‑2‑105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY FILE A REQUEST FOR A CONTESTED CASE ON THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT, PROVIDE THE TIME WITHIN WHICH SUCH A REQUEST MUST BE FILED, AND PROVIDE FOR FURTHER APPEALS, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE, AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

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(R283, S. 1008) -- Senators Setzler and Lourie: AN ACT TO AMEND SECTION 9‑8‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE ADMINISTRATIVE LAW JUDGES IN THE DEFINITION OF “JUDGE”; TO AMEND SECTION 9‑8‑40, AS AMENDED, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW ADMINISTRATIVE LAW JUDGES SERVING ON JULY 1, 2014, TO ELECT TO BECOME A MEMBER; TO AMEND SECTION 9‑8‑60, AS AMENDED, RELATING TO THE RETIREMENT OF MEMBERS OF THE SYSTEM, SO AS TO ALLOW A PERSON TO RECEIVE A RETIREMENT ALLOWANCE WHILE UNDER EMPLOYMENT BY ANOTHER SYSTEM; TO AMEND SECTION 9‑8‑120, AS AMENDED, RELATING TO A MEMBER OF THE SYSTEM RETURNING TO SERVICE, SO AS TO IMPOSE A TEN THOUSAND DOLLAR EARNING LIMITATION ON MEMBERS RETURNING TO EMPLOYMENT UNDER ANOTHER SYSTEM, AND TO PROVIDE EXCEPTIONS; AND TO REPEAL SECTION 9‑8‑65 RELATING TO RETIREMENT COMPENSATION WHILE EMPLOYED BY A PUBLIC INSTITUTION OF EDUCATION.

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(R284, S. 1026) -- Senator Alexander: AN ACT TO AMEND SECTION 29‑5‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUITS ON CONTRACTOR PAYMENT BONDS, SO AS TO PROVIDE THAT CERTAIN WRITTEN NOTICE REQUIRED OF A REMOTE CLAIMANT MUST BE SENT BY CERTIFIED OR REGISTERED MAIL AND MUST GENERALLY CONFORM WITH STATUTORY LIMITS ON THE AGGREGATE AMOUNT OF LIENS FILED BY A SUB‑SUBCONTRACTOR OR SUPPLIER, TO PROVIDE ANY PAYMENT BOND SURETY FOR THE BONDED CONTRACTOR SHALL HAVE THE SAME RIGHTS AND DEFENSES OF THE BONDED CONTRACTOR, TO MAKE THE LANGUAGE APPLICABLE TO ANY PAYMENT BOND WHETHER PRIVATE, COMMON LAW, PUBLIC, OR STATUTORY IN NATURE, WHEN THE BONDS ARE NOT OTHERWISE REQUIRED OR GOVERNED BY STATUTE, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO AMEND SECTION 11‑1‑120, RELATING TO SUITS ON PAYMENT BONDS AND REMOTE CLAIMANTS INVOLVING CONSTRUCTION CONTRACTS WITH THE STATE OR A POLITICAL SUBDIVISION OF THE STATE, SECTION 11‑35‑3030, RELATING TO CONTRACT PERFORMANCE PAYMENT BONDS UNDER THE CONSOLIDATED PROCUREMENT CODE, AND SECTION 57‑5‑1660, RELATING TO CONTRACTOR BONDS INVOLVING THE DEPARTMENT OF TRANSPORTATION, ALL SO AS TO MAKE CONFORMING CHANGES.

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(R285, S. 1099) -- Senators Sheheen and Bryant: AN ACT TO AMEND SECTION 41‑27‑260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE DEFINITION OF EMPLOYMENT FOR UNEMPLOYMENT BENEFIT PURPOSES, SO AS TO PROVIDE EXEMPTIONS FOR MOTOR CARRIERS THAT USE INDEPENDENT CONTRACTORS AND INDIVIDUALS TRANSPORTING VEHICLES FOR AUTOMOBILE DEALERS UNDER CERTAIN CIRCUMSTANCES.

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(R286, S. 1100) -- Senators Bryant, Sheheen, Young and Setzler: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑27‑265 SO AS TO EXEMPT CORPORATE OFFICERS FROM UNEMPLOYMENT BENEFITS UNLESS THE EMPLOYER ELECTS COVERAGE PURSUANT TO SPECIFIED PROCEDURES, AND TO COMPLY WITH FEDERAL MANDATES BY PROVIDING EXEMPTIONS FOR INDIVIDUALS EMPLOYED BY AN INDIAN TRIBE AND FOR INDIVIDUALS EMPLOYED BY ORGANIZATIONS THAT ARE RELIGIOUS, CHARITABLE, OR EDUCATIONAL IN NATURE, OR AS OTHERWISE DEFINED BY FEDERAL LAW.

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(R287, S. 1305) -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4443, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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(R288, S. 1311) -- Senators Young, Setzler and Massey: AN ACT TO AMEND ACT 588 OF 1986, AS AMENDED, RELATING TO THE ESTABLISHMENT OF SINGLE‑MEMBER ELECTION DISTRICTS FOR THE SCHOOL BOARD OF AIKEN COUNTY, SO AS TO REAPPORTION THE DISTRICTS BEGINNING WITH THE SCHOOL BOARD ELECTIONS IN 2014, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

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(R289, S. 1329) -- Senator Massey: AN ACT TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE SEVEN SINGLE‑MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2014, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS, AND TO PROVIDE FOR THE TERMS AND MANNER OF ELECTION OF TRUSTEES.

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(R290, S. 1341) -- Senator Hutto: A JOINT RESOLUTION TO ESTABLISH THE BARNWELL COUNTY SCHOOL CONSOLIDATION STUDY COMMITTEE TO EXPLORE THE CONSOLIDATION OF THE THREE PRESENT SCHOOL DISTRICTS OF THE COUNTY, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE AND THE ISSUES IT SHALL CONSIDER, AND TO PROVIDE THAT THE COMMITTEE IS DISSOLVED UPON THE SUBMISSION OF ITS REPORT TO THE COUNTY LEGISLATIVE DELEGATION WHICH MUST BE SUBMITTED NO LATER THAN MARCH 1, 2015.

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(R291, H. 3021) -- Reps. Clemmons, Sellers, R.L. Brown, Putnam, Kennedy, Gilliard, Toole, Branham, Rutherford, King and Cobb‑Hunter: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 57 TO TITLE 11 SO AS TO ENACT THE IRAN DIVESTMENT ACT OF 2014 AND TO PROHIBIT CERTAIN INVESTMENTS AND CONTRACTS WITH PERSONS DEEMED TO BE ENGAGING IN INVESTMENT ACTIVITIES IN IRAN.

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(R292, H. 3361) -- Reps. Cobb‑Hunter, Long, Weeks and R.L. Brown: AN ACT TO AMEND SECTION 20‑4‑60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO PET ANIMALS OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND OTHER DESIGNATED PERSONS, AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF PET ANIMALS; TO AMEND SECTION 47‑1‑40, AS AMENDED, RELATING TO THE ILL‑TREATMENT OF ANIMALS, SO AS TO REVISE THE PENALTIES FOR THE ILL‑TREATMENT OF ANIMALS; TO AMEND SECTION 47‑1‑130, RELATING TO ARREST FOR VIOLATION OF THE LAWS PROHIBITING CRUELTY TO ANIMALS, SO AS TO PROHIBIT THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS OR OTHER SIMILAR ORGANIZATIONS, FROM MAKING AN ARREST FOR A VIOLATION OF THE LAWS IN RELATION TO CRUELTY TO ANIMALS; TO AMEND SECTION 47‑1‑140, AS AMENDED, RELATING TO THE CARE OF ANIMALS AFTER ARREST OF THE PERSON IN CHARGE OF THE ANIMAL, SO AS TO MAKE CONFORMING CHANGES DELETING REFERENCES TO ARRESTS BY THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS AND TO PROVIDE FOR THE EXTINGUISHMENT OF A LIEN FOR THE EXPENSES FOR THE CARE AND PROVISION OF ANIMALS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47‑1‑150, AS AMENDED, RELATING TO SEARCH WARRANTS AND CUSTODY OF ANIMALS, SO AS TO MAKE CONFORMING CHANGES DELETING REFERENCES TO ORDERS BY THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS; AND TO REPEAL SECTION 47‑1‑160 RELATING TO THE DISPOSITION OF FINES FOR VIOLATIONS OF THE CHAPTER REGARDING CRUELTY TO ANIMALS.

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(R293, H. 3365) -- Reps. Govan, Jefferson, Williams, Whipper, R.L. Brown and Gilliard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑66‑40 SO AS TO CREATE THE SCHOOL SAFETY TASK FORCE, TO PROVIDE THE PURPOSES AND COMPOSITION OF THE TASK FORCE, AND TO PROVIDE FOR THE TERMINATION OF THE TASK FORCE UPON REPORTING ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 1, 2015.

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(R294, H. 3411) -- Reps. R.L. Brown, G.A. Brown, Cobb‑Hunter, Mitchell, Neal, Weeks, Whipper, Williams and Gilliard: AN ACT TO AMEND SECTION 40‑7‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “HAIR BRAIDING” ASSOCIATED WITH THE LICENSURE AND REGULATION OF BARBERS, SO AS TO PERMIT THE USE OF HAIR EXTENSIONS IN HAIR BRAIDING, EXCEPT IN PUBLIC PLACES.

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(R295, H. 3428) -- Reps. Allison, Erickson, M.S. McLeod, J.E. Smith, Spires, Hiott, Owens, Whitmire, Douglas, Hamilton, Bannister, Neal, Alexander, Weeks, Powers Norrell, Bales, Anderson, Robinson‑Simpson, Williams, Henderson, Sottile, Munnerlyn, Rutherford, Vick, R.L. Brown, Whipper, Branham, Govan, J.R. Smith, Hayes, George, Funderburk, W.J. McLeod, Bernstein, Felder, Wood, Patrick and Jefferson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑152‑25 SO AS TO DEFINE TERMS CONCERNING THE FIRST STEPS TO SCHOOL READINESS INITIATIVE; BY ADDING SECTION 59‑152‑32 SO AS TO PROVIDE THE FIRST STEPS BOARD OF TRUSTEES SHALL DEVELOP A COMPREHENSIVE LONG‑RANGE INITIATIVE FOR SCHOOL READINESS AND A STRATEGY FOR FULFILLING THIS INITIATIVE; BY ADDING SECTION 59‑152‑33 SO AS TO PROVIDE A STATEWIDE ASSESSMENT OF STUDENT SCHOOL READINESS; BY ADDING SECTION 63‑11‑1725 SO AS TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE SOUTH CAROLINA EARLY CHILDHOOD ADVISORY COUNCIL; BY ADDING SECTION 63‑11‑1735 SO AS TO PROVIDE FIRST STEPS SHALL ENSURE THE COMPLIANCE OF BABYNET WITH FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS, AND TO DEFINE CERTAIN TERMS; TO AMEND SECTION 59‑152‑10, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY FIRST STEPS PARTNERSHIPS AS LOCAL FIRST STEPS PARTNERSHIPS AND PROVIDE FOR THE CONTINUANCE OF CERTAIN COLLABORATIONS AND PARTNERSHIPS; TO AMEND SECTION 59‑152‑20, RELATING TO THE PURPOSE OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY PARTNERSHIPS AS LOCAL PARTNERSHIPS; TO AMEND SECTION 59‑152‑30, RELATING TO THE GOALS OF FIRST STEPS, SO AS TO RESTATE CERTAIN GOALS OF STUDENT READINESS; TO AMEND SECTION 59‑152‑40, RELATING TO OVERSIGHT OF THE INITIATIVE BY THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REQUIRE THE BOARD ALSO BE ACCOUNTABLE FOR THE INITIATIVE; TO AMEND SECTION 59‑152‑50, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, SO AS TO REVISE THE TIME AND MANNER FOR REQUIRED PERFORMANCE AUDITS, REVISE ONGOING DATA COLLECTION PROVISIONS, AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑60, RELATING TO FIRST STEPS PARTNERSHIPS, SO AS TO PROVIDE EACH COUNTY MUST BE REPRESENTED AND SERVED BY A LOCAL PARTNERSHIP BOARD, TO PROVIDE THAT MEETINGS AND ELECTIONS OF LOCAL PARTNERSHIP BOARDS ARE SUBJECT TO THE FREEDOM OF INFORMATION ACT AND TO IMPOSE CERTAIN DISCLOSURE REQUIREMENTS, TO SPECIFY AND REVISE REQUIREMENTS FOR THE MEMBERSHIP COMPOSITION OF A LOCAL PARTNERSHIP BOARD, TO PROVIDE THE BOARD OF TRUSTEES SHALL CONDUCT A FORMAL REVIEW OF THE MEMBERSHIP CATEGORIES OF FIRST STEPS PARTNERSHIP BOARD COMPOSITION, MAKE RELATED FINDINGS CONCERNING THE CONTINUED APPLICABILITY AND APPROPRIATENESS OF THESE CATEGORIES, TO REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY, AND TO MAKE CONFORMING CHANGES, TO AMEND SECTION 59‑152‑70, RELATING TO THE POWERS AND DUTIES OF A LOCAL PARTNERSHIP BOARD, SO AS TO PROVIDE REQUIREMENTS CONCERNING THE COMPREHENSIVE PLAN OF EACH LOCAL PARTNERSHIP BOARD, TO REVISE THE REQUIREMENTS CONCERNING COUNTY NEEDS ASSESSMENTS, RECORD KEEPING AND REPORTING, TO PROVIDE STAFFING PURSUANT TO LOCAL BYLAWS, AND TO PROVIDE MULTIPLE LOCAL PARTNERSHIPS MAY COLLABORATE TO MAXIMIZE EFFICIENT DELIVERY OF SERVICES AND THE EXECUTION OF THEIR DUTIES AND POWERS; TO AMEND SECTION 59‑152‑90, RELATING TO FIRST STEPS GRANTS, SO AS TO ESTABLISH THE GRANTS AS LOCAL PARTNERSHIP GRANTS, AND TO REVISE THE PROCESS FOR OBTAINING A GRANT AND THE METHOD OF ALLOCATING GRANT FUNDS; TO AMEND SECTION 59‑152‑100, RELATING TO USE OF FIRST STEPS GRANT FUNDS, SO AS TO PROVIDE THE SECTION APPLIES TO GRANTS EXPENDED BY A FIRST STEPS PARTNERSHIP, AND TO REVISE THE PERMISSIBLE USES OF GRANT FUNDS; TO AMEND SECTION 59‑152‑120, RELATING TO THE USE OF GRANT FUNDS FOR CAPITAL EXPENDITURES, SO AS TO REVISE THE PURPOSE FOR WHICH FUNDS MAY BE USED AND TO REQUIRE PRIOR APPROVAL OF THE BOARD OF TRUSTEES; TO AMEND SECTION 59‑152‑130, RELATING TO A MANDATORY MATCHING OF FUNDS BY LOCAL PARTNERSHIPS, SO AS TO REVISE THE MANDATORY AMOUNT, TO ENCOURAGE PRIVATE CONTRIBUTIONS TO HELP LOCAL PARTNERSHIPS MEET THEIR MANDATORY MATCHING REQUIREMENT, AND TO DELETE A PROVISION ALLOWING CERTAIN EXPENSES TO BE INCLUDED IN DETERMINING MATCHING FUNDS; TO AMEND SECTION 59‑152‑140, RELATING TO THE PERMISSIBILITY OF CARRY FORWARD FUNDS BY A LOCAL PARTNERSHIP, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 59‑152‑150, RELATING TO ACCOUNTABILITY SYSTEMS, SO AS TO PROVIDE FOR THE EXCLUSIVE USE OF ALL PRIVATE AND NONSTATE FUNDS SOUGHT BY LOCAL PARTNERSHIPS; TO AMEND SECTION 59‑152‑160, RELATING TO PROGRESS EVALUATIONS, SO AS TO REVISE RELATED REQUIREMENTS TO INCLUDE AN INDEPENDENT EVALUATION OF EACH PREVALENT PROGRAM INVESTMENT IN A CERTAIN MANNER AND TO IMPOSE RELATED REPORTING REQUIREMENTS; TO AMEND SECTION 63‑11‑1720, RELATING TO THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD, TO CREATE THE OFFICE OF FIRST STEPS STUDY COMMITTEE AND PROVIDE FOR ITS FUNCTIONS AND COMPOSITION, AND TO REAUTHORIZE THE PROVISIONS OF ACT 99 OF 1999 UNTIL JULY 1, 2016; TO AMEND SECTION 63‑11‑1730, RELATING TO POWERS OF THE BOARD OF TRUSTEES, SO AS TO MAKE CONFORMING CHANGES, DELETE OBSOLETE LANGUAGE, AND ADD MISCELLANEOUS PROVISIONS; TO AMEND SECTION 1‑5‑40, RELATING TO DUTIES OF THE SECRETARY OF STATE TO MONITOR STATE BOARD AND COMMISSIONS, SO AS TO INCLUDE THE BOARD OF TRUSTEES; AND TO REPEAL SECTION 59‑152‑80 RELATING TO FIRST STEPS GRANTS AND SECTION 59‑152‑110 RELATING TO THE USE OF FIRST STEPS LOCAL PARTNERSHIP GRANT FUNDS.

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(R296, H. 3459) -- Reps. Sandifer, Bales, J.E. Smith and Erickson: AN ACT TO AMEND SECTION 40‑2‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO PROVIDE THE DIRECTOR OF DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE ONE FULL‑TIME ADMINISTRATOR WHO IS A LICENSED CERTIFIED PUBLIC ACCOUNTANT IN THIS STATE TO SERVE AS FULL‑TIME ADMINISTRATOR OF THE BOARD, TO REQUIRE ADVICE AND CONSENT OF THE BOARD IN MAKING THIS DESIGNATION, TO PROVIDE THE PRIMARY RESPONSIBILITY OF THE ADMINISTRATOR IS TO ADMINISTER THE BOARD BUT THAT HE MAY BE ASSIGNED ADDITIONAL DUTIES AND RESPONSIBILITIES WITHIN THE DEPARTMENT BY THE DIRECTOR IF THE ADDITIONAL DUTIES AND RESPONSIBILITIES DO NOT UNREASONABLY OCCUPY THE ADMINISTRATOR’S TIME, AND TO PROVIDE THE DIRECTOR MAY TERMINATE THE ADMINISTRATOR; TO AMEND SECTION 40‑2‑30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO EXEMPT A LICENSEE FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; TO AMEND SECTION 40‑2‑70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD MAY CONDUCT PERIODIC INSPECTIONS OF LICENSEES OR FIRMS IN A CERTAIN MANNER, AND TO PROVIDE FOR COMPLAINTS; AND TO AMEND SECTION 40‑2‑80, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT SHALL DIRECT THE INVESTIGATOR ASSIGNED TO THE BOARD TO INVESTIGATE AN ALLEGED VIOLATION TO DETERMINE THE EXISTENCE OF PROBABLE CAUSE MERITING FURTHER PROCEEDINGS.

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(R297, H. 3644) -- Reps. Loftis, Gagnon, Herbkersman, Lowe, Lucas, D.C. Moss, H.L. Ott, Pitts, Toole and Bowers: AN ACT TO AMEND SECTION 12‑6‑3588, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RENEWABLE ENERGY TAX CREDIT INCENTIVE PROGRAM, SO AS TO REDESIGNATE THE PROGRAM THE “SOUTH CAROLINA CLEAN ENERGY TAX INCENTIVE PROGRAM”, TO REVISE DEFINITIONS TO EXTEND THE CREDIT TO ADDITIONAL FORMS OF ENERGY PRODUCTION AND OPERATIONS, TO DECREASE INVESTMENT THRESHOLDS AND DECREASE JOB CREATION THRESHOLDS FOR QUALIFYING FOR THE CREDIT AND MAKE THE CREDIT, PREVIOUSLY DUE TO EXPIRE DECEMBER 31, 2015, AVAILABLE THROUGH 2020, AND TO REVISE CREDIT ADMINISTRATION PROCEDURES FOR CREDITS EARNED AFTER 2014; TO AMEND SECTION 12‑6‑3620, RELATING TO THE CORPORATE INCOME AND LICENSE TAX CREDIT ALLOWED FOR EQUIPMENT INSTALLED TO PRODUCE ENERGY FROM BIOMASS SOURCES, SO AS TO PROVIDE THAT THE PRIMARY ADMINISTRATION OF SUCH CREDITS EARNED AFTER TAXABLE YEAR 2013, IS BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE; TO AMEND SECTION 12‑20‑105, RELATING TO THE CORPORATE LICENSE TAX CREDIT ALLOWED FOR CASH CONTRIBUTIONS TO PROVIDE INFRASTRUCTURE FOR ELIGIBLE PROJECTS, SO AS TO INCLUDE IN THE DEFINITION OF “ELIGIBLE PROJECT” A MUNICIPAL OR COUNTY‑OWNED, MULTIUSE SPORTS AND RECREATIONAL COMPLEX LOCATED IN A COUNTY IN WHICH HAS BEEN COLLECTED AT LEAST FIVE MILLION DOLLARS IN A FISCAL YEAR IN STATE‑IMPOSED ACCOMMODATIONS TAX AND TO FURTHER DEFINE “INFRASTRUCTURE” FOR PURPOSES OF A MULTIUSE SPORTS AND RECREATIONAL COMPLEX; TO AMEND SECTION 12‑10‑95, RELATING TO THE CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO INCREASE THE CREDIT, SPECIFY ELIGIBLE EMPLOYEES AND PROGRAMS, PROVIDE THAT A BUSINESS MAY NOT CLAIM THE CREDIT IF THE EMPLOYEE IS REQUIRED TO REIMBURSE OR PAY FOR THE COSTS OF THE RETRAINING, INCREASE THE MATCH AMOUNT FOR THE BUSINESS, AND PROVIDE THAT THE PROGRAMS ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF REVENUE AND THE STATE BOARD OF TECHNICAL AND COMPREHENSIVE EDUCATION; AND TO AMEND SECTION 12‑10‑105, RELATING TO THE ANNUAL FEE FOR A BUSINESS CLAIMING THE WITHHOLDING CREDIT, SO AS TO INCREASE THE THRESHOLD BELOW WHICH THE ANNUAL FEE FOR THE JOB RETRAINING CREDIT DOES NOT APPLY.

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(R298, H. 3959) -- Reps. Kennedy, Quinn, Spires, Huggins, Atwater, Bingham, Delleney, Felder, Finlay, D.C. Moss, Norman, Pope, Sellers, Simrill, Tallon, Weeks, Wood and Whipper: AN ACT TO AMEND SECTION 16‑15‑395, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY WHEN A REASONABLE PERSON WOULD INFER THE PURPOSE IS SEXUAL STIMULATION IN THE PURVIEW OF THE OFFENSE; TO AMEND SECTION 16‑15‑405, AS AMENDED, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY WHEN A REASONABLE PERSON WOULD INFER THE PURPOSE IS SEXUAL STIMULATION IN THE PURVIEW OF THE OFFENSE; AND TO AMEND SECTION 16‑15‑410, AS AMENDED, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY WHEN A REASONABLE PERSON WOULD INFER THE PURPOSE IS SEXUAL STIMULATION IN THE PURVIEW OF THE OFFENSE.

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(R299, H. 4348) -- Reps. Lucas, Clemmons, Southard, Douglas, Allison, Taylor, Felder, Loftis, W.J. McLeod, Pitts, D.C. Moss and Bales: AN ACT TO AMEND SECTION 63‑3‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF THE FAMILY COURT, INCLUDING JURISDICTION TO ORDER VISITATION FOR GRANDPARENTS OF MINOR CHILDREN, SO AS TO ELIMINATE CERTAIN PREREQUISITES TO ORDERING VISITATION, AND TO CLARIFY THAT PARENT MEANS THE NATURAL OR ADOPTIVE PARENT.

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(R300, H. 4399) -- Rep. Cobb‑Hunter: AN ACT TO AMEND SECTION 61‑6‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN ALCOHOL PERMITS IN THE PROXIMITY OF SCHOOLS, PLAYGROUNDS, AND CHURCHES, SO AS TO ALLOW THE ISSUANCE OF A LICENSE FOR THE ON‑PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IF ALL PLAYGROUNDS AND CHURCHES IN THE PROXIMITY AFFIRMATIVELY STATE THAT THEY DO NOT OBJECT TO THE ISSUANCE; AND BY ADDING SECTION 61-6-4157 SO AS TO PROHIBIT CERTAIN TRANSACTIONS INVOLVING POWDERED ALCOHOL, TO PROHIBIT THE HOLDER OF CERTAIN LICENSES FROM USING POWDERED ALCOHOL AS AN ALOCHOLIC BEVERAGE, TO PROVIDE PENALTIES, AND TO PROVIDE EXCEPTIONS.

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(R301, H. 4543) -- Reps. Southard, R.L. Ott, Jefferson, H.A. Crawford, M.S. McLeod, Vick, Hardwick, Williams, Robinson‑Simpson, George, Daning, Munnerlyn, Long, Crosby, Felder, Gagnon, Hayes, Hixon, Howard, Norman, Stavrinakis, V.S. Moss and Knight: AN ACT TO AMEND SECTION 50‑13‑640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL POSSESSION OF BLUE CATFISH, SO AS TO DECREASE THE MAXIMUM LENGTH OF A BLUE CATFISH THAT MAY BE TAKEN ON CERTAIN BODIES OF WATER, TO MAKE A TECHNICAL CHANGE, TO ESTABLISH THE DAILY POSSESSION LIMIT FOR BLUE CATFISH TAKEN FROM LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER, AND TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO MAKE A STUDY OF THE BLUE CATFISH FISHERY ON THE SANTEE AND COOPER RIVER SYSTEMS, AND MAKE RECOMMENDATIONS ON ANY NEEDED MODIFICATIONS OF THIS SECTION; TO AMEND SECTION 50‑9‑1120, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE POINT SYSTEM FOR VIOLATING CERTAIN PROVISIONS THAT REGULATE FISHING AND HUNTING, SO AS TO PROVIDE THAT TAKING OR POSSESSING MORE THAN THE LEGAL CREEL OR SIZE LIMIT OF BLUE CATFISH IS A FOURTEEN POINT VIOLATION; AND TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MUST CONDUCT A STUDY OF THE STATUS OF THE BLUE CATFISH POPULATION AND PRESENT THE STUDY TO THE GENERAL ASSEMBLY.

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(R302, H. 4550) -- Rep. Parks: AN ACT TO AMEND SECTION 40‑35‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING LONG‑TERM HEALTH CARE ADMINISTRATORS, SO AS TO REVISE AND ADD NECESSARY DEFINITIONS; TO AMEND SECTION 40‑35‑40, RELATING TO THE LICENSURE OF LONG‑TERM HEALTH CARE ADMINISTRATORS, SO AS TO REVISE LICENSURE CRITERIA; AND TO AMEND SECTION 40‑35‑200, AS AMENDED, RELATING TO THE PROHIBITION AGAINST A PERSON ACTING OR SERVING IN THE CAPACITY OF A NURSING HOME ADMINISTRATOR OR RESIDENTIAL CARE FACILITY ADMINISTRATOR WITHOUT A LICENSE, SO AS TO MAKE A CONFORMING CHANGE.

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(R303, H. 4673) -- Reps. Simrill, Limehouse, Sottile and Gagnon: AN ACT TO AMEND SECTION 27‑3‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS REGARDING THE LIMITATION ON LIABILITY OF LANDOWNERS, SO AS TO DEFINE “AVIATION ACTIVITIES”, TO INCLUDE AVIATION ACTIVITIES WITHIN THE DEFINITION OF “RECREATIONAL PURPOSE”, AND TO INCLUDE EASEMENT HOLDER WITHIN THE DEFINITION OF “OWNER”.

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(R304, H. 4701) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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(R305, H. 4702) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2013‑2014, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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(R306, H. 4732) -- Reps. J.E. Smith and Clemmons: AN ACT TO AMEND SECTIONS 7‑11‑20, 7‑11‑25, AND 7‑13‑15, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, RESPECTIVELY, TO THE CONDUCT BY THE STATE ELECTION COMMISSION OF PARTY CONVENTIONS OR PARTY PRIMARY ELECTIONS, THE AUTHORITY OF POLITICAL PARTIES TO CONDUCT ADVISORY PRIMARY ELECTIONS AT PARTY EXPENSE, AND THE DATE PROVIDED BY LAW FOR HOLDING PRIMARY ELECTIONS AND THE PRIMARIES NOT SUBJECT TO THAT DATE, SO AS TO DELETE OBSOLETE DATE REFERENCES, TO CLARIFY THE AUTHORITY OF A POLITICAL PARTY TO CONDUCT AN ADVISORY PRIMARY AT PARTY EXPENSE, TO CLARIFY THAT THE DATE OF A PRESIDENTIAL PREFERENCE PRIMARY CONDUCTED BY THE STATE ELECTION COMMISSION MUST BE SET BY THE PARTY RATHER THAN THE GENERAL STATE LAW DATE FOR PRIMARIES AND TO ALLOW THE STATE ELECTION COMMISSION TO CARRY FORWARD ANY YEAR-END BALANCES IN ITS FILING FEE AND PRIMARY AND GENERAL ELECTION ACCOUNTS TO THE SUCCEEDING FISCAL YEAR, AND TO PROVIDE THAT THESE CARRIED FORWARD FUNDS MUST BE EXPENDED FOR THE SAME PURPOSE.

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(R307, H. 4788) -- Reps. Burns, Bedingfield, Chumley, H.A. Crawford, Goldfinch, Loftis, Norman, Putnam, Stringer, Willis, Wood, Barfield and Douglas: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑65 SO AS TO DESIGNATE THE SECOND SUNDAY IN AUGUST AS “SPIRIT OF ‘45 DAY”.

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(R308, H. 4840) -- Reps. Putnam, Owens, Stringer, Burns, Rivers, Bowen, Clyburn, Thayer, Wood, Wells, Dillard, Robinson‑Simpson, R.L. Brown and Mitchell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT”; BY ADDING SECTION 59‑43‑25 SO AS TO PROVIDE THAT BEFORE JANUARY 1, 2015, THE STATE BOARD OF EDUCATION SHALL SELECT A TEST OR TEST BATTERY THAT ELIGIBLE CANDIDATES SUCCESSFULLY MAY COMPLETE TO RECEIVE A HIGH SCHOOL EQUIVALENCY DIPLOMA, TO PROVIDE THAT THE TEST BATTERIES MUST HAVE DEMONSTRATED THE APPROPRIATE RIGOR FOR A HIGH SCHOOL EQUIVALENCY EXAM AND MUST BE VALID AND RELIABLE FOR THE PURPOSE FOR WHICH THESE TEST BATTERIES ARE ADMINISTERED, TO PROVIDE THE STATE BOARD SHALL SELECT AT LEAST ONE TEST BATTERY MEETING THIS RIGOR REQUIREMENT THAT IS AVAILABLE IN PAPER AND PENCIL FORM, IF ONE IS AVAILABLE, AND THAT THE APPROVED TEST BATTERIES THAT ARE AVAILABLE IN PAPER AND PENCIL FORM AND DEPENDENT ON COMPUTER TECHNOLOGY MUST BE AVAILABLE TO ELIGIBLE CANDIDATES IN BOTH FORMS, TO REQUIRE THE BOARD SHALL AUTHORIZE THE ADMINISTRATION OF THIS TEST BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO CERTAIN REGULATIONS AND POLICIES, AND TO PROVIDE THE BOARD SHALL ISSUE HIGH SCHOOL EQUIVALENCY DIPLOMAS TO ELIGIBLE CANDIDATES WHO SUCCESSFULLY COMPLETE THE TEST OR TEST BATTERY AFTER JANUARY 1, 2015; AND TO AMEND SECTION 59‑43‑20, RELATING TO POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO BASIC ADULT AND SECONDARY EDUCATION, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY APPLICABILITY.

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(R309, H. 4864) -- Rep. Gambrell: AN ACT TO AMEND SECTION 46‑21‑215, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED LABELS AND TAGS FOR CONTAINERS OF AGRICULTURAL, VEGETABLE, AND FLOWER SEEDS, SO AS TO REVISE CERTAIN OF THESE LABELING AND TAGGING REQUIREMENTS.

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(R310, H. 5014) -- Reps. Willis, Owens and Daning: AN ACT TO AMEND SECTION 56‑1‑2100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COMMERCIAL DRIVER LICENSE, SO AS TO DELETE THE VARIOUS ENDORSEMENTS AND RESTRICTIONS THAT MAY BE ATTACHED TO A COMMERCIAL DRIVER LICENSE, AND TO PROVIDE THAT ENDORSEMENTS AND RESTRICTIONS ARE ADDED TO A COMMERCIAL DRIVER LICENSE AS REQUIRED UNDER THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS; TO AMEND SECTION 56‑5‑2770, RELATING TO SIGNALS AND MARKINGS ON SCHOOL BUSES, OVERTAKING AND PASSING A SCHOOL BUS, AND LOADING PASSENGERS ON A SCHOOL BUS, SO AS TO PROVIDE THAT A SCHOOL BUS MAY BE EQUIPPED WITH A DIGITAL RECORDING DEVICE MOUNTED ON THE SCHOOL BUS; BY ADDING SECTION 56‑5‑2773 SO AS TO PROVIDE THAT A UNIFORM TRAFFIC CITATION MAY BE ISSUED BASED UPON IMAGES OBTAINED FROM A DIGITAL RECORDING DEVICE MOUNTED ON A SCHOOL BUS, AND TO PROVIDE THAT THE DIGITAL IMAGES MAY BE USED AS EVIDENCE AT A HEARING REGARDING AN OFFENSE RELATED TO THE OPERATION OF A SCHOOL BUS; TO AMEND SECTION 56‑7‑35, AS AMENDED, RELATING TO THE ISSUANCE OF A UNIFORM TRAFFIC TICKET FOR SPEEDING OR DISREGARDING A TRAFFIC CONTROL DEVICE, SO AS TO PROVIDE THAT THE PROVISIONS OF THIS SECTION DO NOT APPLY TO A UNIFORM TRAFFIC CITATION ALLEGING THE VIOLATION OF THE PROVISIONS THAT RELATES TO THE OPERATION OF A SCHOOL BUS; AND TO AMEND SECTION 56‑7‑15, AS AMENDED, RELATING TO THE ISSUANCE OF A UNIFORM TRAFFIC TICKET BY A LAW ENFORCEMENT OFFICER TO ARREST A PERSON FOR AN OFFENSE COMMITTED IN HIS PRESENCE OR FOR DOMESTIC VIOLENCE OFFENSES, SO AS TO PROVIDE THAT THE ISSUANCE OF A UNIFORM TRAFFIC TICKET ALLEGING THE VIOLATION OF A PROVISION THAT RELATES TO THE OPERATION OF A BUS IS NOT SUBJECT TO THE PROVISIONS CONTAINED IN THIS SECTION.

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(R311, H. 5084) -- Reps. Bannister and Dillard: A JOINT RESOLUTION DIRECTING THE STATE BUDGET AND CONTROL BOARD TO TRANSFER FROM THE STATE OF SOUTH CAROLINA TO THE CITY OF GREENVILLE TWO PROPERTIES IN THE CITY OF GREENVILLE, ONE LOCATED AT THE CORNER OF NORTH CHURCH STREET AND EAST PARK AVENUE AND AN ADJACENT PROPERTY ON EAST PARK AVENUE, WHICH WERE PREVIOUSLY USED AS A STATE NATIONAL GUARD ARMORY.

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(R312, H. 5316) -- Reps. Limehouse and Stavrinakis: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF A JOINT RESOLUTION OF 2014 BEARING RATIFICATION NUMBER 150 AND THE PROVISIONS OF SECTION 59‑1‑425, THE GOVERNING BODY OF THE CHARLESTON COUNTY SCHOOL DISTRICT MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR FIVE OR FEWER FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND SCHOOLS OR CHARTER SCHOOLS IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013‑2014 SCHOOL YEAR REGARDLESS OF WHETHER THE DISTRICT EXHAUSTS OR PLANS TO EXHAUST ALL STATUTORILY REQUIRED MAKE‑UP DAYS REMAINING ON THE 2013‑2014 SCHOOL CALENDAR.

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**Motion Adopted**

At 5:00 P.M., on motion of Senator COURSON, the Senate adjourned pursuant to H. 5282, the *Sine Die* Resolution.

**MOTION ADOPTED**

On motion of Senator MALLOY with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert L. Douglas of Chesterfield, S.C. Mr. Douglas graduated from Chesterfield High School then joined the S.C. National Guard where he served for twenty-one years. He owned and operated Burch & Douglas Grocery for thirty years and then worked for INA Bearing. Robert was a lifelong member of Shiloh United Methodist Church, served on the Chesterfield County Board of Education and was a precinct poll manager. He enjoyed watching NASCAR and the Atlanta Braves. He was also an avid gardener and always put his family and friends before himself. Robert was a loving father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 5:00 P.M., on motion of Senator COURSON, the Senate adjourned to meet at Noon on Tuesday, June 17, 2014, pursuant to the provisions of H. 5282, the *Sine Die* Resolution.

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