~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 37:7: “Be still before the Lord, and wait patiently for him;”

Let us pray. Father in heaven, grant these Representatives and staff wisdom and quiet moments where they might see the road lined with evidence of Your direction. You have brought these men and women to this special place to make choices and find pleasure in the decisions made. Bestow Your blessings on our Nation, President, State, Governor, Speaker, staff, and all who work for the welfare of Your people. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our men and women who have suffered and sacrificed for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

**MOTION ADOPTED**

Rep. HORNE moved that when the House adjourns, it adjourn in memory of John Thomas Black of Summerville, which was agreed to.

**CONFIRMATION OF APPOINTMENT**

The following was received:

State of South Carolina

Office of the Governor

Columbia, S.C., February 10, 2015

Mr. Speaker and Members of the House of Representatives:

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

Statewide Appointment

State Ethics Commission

Term Commencing: June 30, 2010

Term Expiring: June 30, 2015

Seat: At-large

Mr. Brian M. Barnwell

1992 Congaree Road

Eastover, South Carolina 29044

My very best,

Nikki R. Haley

Governor

The appointment was confirmed and a message was ordered sent to the Senate accordingly.

**CONFIRMATION OF APPOINTMENT**

The following was received:

State of South Carolina

Office of the Governor

Columbia, S.C., February 10, 2015

Mr. Speaker and Members of the House of Representatives:

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

Statewide Appointment

State Ethics Commission

Term Commencing: June 30, 2015

Term Expiring: June 30, 2020

Seat: At-large

Mr. Brian M. Barnwell

1992 Congaree Road

Eastover, South Carolina 29044

My very best,

Nikki R. Haley

Governor

The appointment was confirmed and a message was ordered sent to the Senate accordingly.

**REGULATIONS RECEIVED**

The following were received and referred to the appropriate committee for consideration:

Document No. 4533

Agency: Commission on Higher Education

Statutory Authority: 1976 Code Section 59-114-75

South Carolina National Guard College Assistance Program

Received by Speaker of the House of Representatives

February 6, 2015

Referred to Education and Public Works Committee

Legislative Review Expiration January 13, 2016

Document No. 4534

Agency: Commission on Higher Education

Statutory Authority: 1976 Code Section 59-111-75

South Carolina National Guard Student Loan Repayment Program

Received by Speaker of the House of Representatives

February 6, 2015

Referred to Education and Public Works Committee

Legislative Review Expiration January 13, 2016

**REPORTS OF STANDING COMMITTEE**

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

H. 3471 -- Reps. Yow, Lucas and Henegan: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH EAST CATO STREET TO AIRPORT ROAD "SCHP PATROLMAN H. M. SMITH MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

H. 3474 -- Reps. Murphy, Horne, Jefferson, Knight, Mack, Tinkler and Whipper: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 78 AND DEMING WAY IN DORCHESTER COUNTY "MAJOR ERNEST SAMUEL MOULTRIE INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

S. 181 -- Senator Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RAWLINSON ROAD IN THE CITY OF ROCK HILL FROM ITS INTERSECTION WITH WEST MAIN STREET TO ITS INTERSECTION WITH HECKLE BOULEVARD "COACH ROBERT T. 'BOB' JENKINS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

S. 344 -- Senators O'Dell and Bryant: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 81 IN ANDERSON COUNTY FROM ITS INTERSECTION WITH MASTERS BOULEVARD IN THE CITY OF ANDERSON TO ITS INTERSECTION WITH THE SOUTHERN BOUNDARY OF THE TOWN OF IVA "DEPUTY J. ALEX BURDETTE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3540 -- Reps. Bingham, Atwater, Ballentine, Huggins, Kennedy, Ott, Quinn, Spires, Toole, Alexander, Allison, Anderson, Anthony, Bales, Bamberg, Bannister, Bedingfield, Bernstein, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Parks, Pitts, Pope, Putnam, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DICKERSON CHILDREN'S ADVOCACY CENTER, UPON THE OCCASION OF ITS TWENTIETH ANNIVERSARY, TO EXPRESS PROFOUND APPRECIATION FOR THE SIGNIFICANT SERVICES OFFERED TO THE MOST VULNERABLE CITIZENS IN OUR COMMUNITIES BY ITS DEDICATED STAFF AND VOLUNTEERS, AND TO WISH THEM CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3541 -- Reps. Bingham, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE THE WORK OF ELIZABETH C. TAYLOR, CHAIR, BOARD OF DIRECTORS OF THE DICKERSON CHILDREN'S ADVOCACY CENTER OF WEST COLUMBIA, FOR HER TIRELESS ACTIVISM ON BEHALF OF THE CENTER AND HER DEDICATION TO ENSURING THE WELL-BEING OF THE STATE'S MOST VULNERABLE CITIZENS, AND TO COMMEND HER EFFORTS ON BEHALF OF THIS CHILD ADVOCACY CENTER WHICH PROVIDES INVALUABLE SERVICES TO CHILDREN OF ABUSE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3550 -- Reps. Goldfinch, Anderson, Clemmons, H. A. Crawford, Duckworth, George, Hardee, Hardwick, Hayes, Johnson and Ryhal: A HOUSE RESOLUTION TO HONOR COACH CLIFF ELLIS ON HIS 150TH VICTORY AT COASTAL CAROLINA UNIVERSITY AND TO APPLAUD HIM ON BECOMING THE FIRST COACH IN NCAA DIVISION I MEN'S BASKETBALL HISTORY WITH AT LEAST 150 VICTORIES AT FOUR SEPARATE SCHOOLS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

S. 174 -- Senator Leatherman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF N. OLD GEORGETOWN ROAD AND HIGHWAY 378 THE "DEPUTY JOSEPH C. ANTWINE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS INTERSECTION CONTAINING THE WORDS "DEPUTY JOSEPH C. ANTWINE MEMORIAL HIGHWAY".

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 404 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 908 IN MARION COUNTY FROM ITS INTERSECTION WITH HENRY ALFORD ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 378 "BILLY RICHARDSON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

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

**INTRODUCTION OF BILLS**

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

H. 3542 -- Rep. King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COLLEGE FINANCIAL AID EDUCATION ACT OF 2015"; TO AMEND SECTION 59-29-410, RELATING TO TOPICS INCLUDED IN HIGH SCHOOL FINANCIAL LITERACY PROGRAMS, SO AS TO INCLUDE FINANCING SECONDARY EDUCATION AMONG THE TOPICS; TO AMEND SECTIONS 59-103-165, 59-103-170, AND 59-103-190, ALL RELATING TO POST-SECONDARY EDUCATION OPTION INFORMATION PACKAGES AND COUNSELING FOR EIGHTH-GRADE STUDENTS, SO AS TO EXPAND THE SCOPE OF STUDENTS TO WHOM PACKAGES AND COUNSELING ARE OFFERED TO INCLUDE HIGH SCHOOL STUDENTS AND COLLEGE STUDENTS; AND TO RETITLE ARTICLE 1, CHAPTER 103, TITLE 59, RELATING TO "POST-SECONDARY EDUCATION OPTION INFORMATION" AS "POST-SECONDARY EDUCATION INFORMATION AND COUNSELING".

Referred to Committee on Education and Public Works

H. 3543 -- Reps. King, Henegan, Norrell, Mitchell and Robinson-Simpson: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF EACH LOCAL SCHOOL DISTRICT BOARD OF TRUSTEES TO ESTABLISH ANNUAL SCHOOL CALENDARS FOR SCHOOLS UNDER ITS JURISDICTION, SO AS TO PROVIDE THE AUTHORITY TO ESTABLISH THE OPENING DATE FOR THE ANNUAL SCHOOL CALENDAR OF THE PUBLIC SCHOOLS IN CHESTER COUNTY, CHESTERFIELD COUNTY, CHEROKEE COUNTY, FAIRFIELD COUNTY, LANCASTER COUNTY, UNION COUNTY, AND YORK COUNTY.

Referred to Committee on Education and Public Works

H. 3544 -- Rep. King: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF EACH LOCAL SCHOOL DISTRICT BOARD OF TRUSTEES TO ESTABLISH ANNUAL SCHOOL CALENDARS FOR SCHOOLS UNDER ITS JURISDICTION, SO AS TO ADD THE AUTHORITY TO ESTABLISH THE OPENING DATE FOR THE ANNUAL SCHOOL CALENDAR IN YORK COUNTY SCHOOLS.

Referred to Committee on Education and Public Works

H. 3545 -- Reps. Gambrell, Weeks, Bedingfield, V. S. Moss, Clemmons, Forrester, Gagnon, D. C. Moss, Pitts, Riley, G. M. Smith, G. R. Smith and White: A BILL TO AMEND SECTION 16-11-110, AS

AMENDED, RELATING TO ARSON, SO AS TO RESTRUCTURE THE ELEMENTS OF THE DEGREES OF ARSON.

Referred to Committee on Judiciary

H. 3546 -- Rep. Bamberg: A BILL TO AMEND CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 101, TITLE 59 SO AS TO PROVIDE THAT PARTICIPATING INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE SHALL ANNUALLY AWARD STIPENDS TO STUDENT ATHLETES WHO PARTICIPATE IN AN INTERCOLLEGIATE SPORT AND MAINTAIN A GOOD ACADEMIC STANDING DURING THE PREVIOUS YEAR, TO PROVIDE CONDITIONS FOR RECEIPT OF STIPENDS, AND TO DEFINE NECESSARY TERMS; AND BY ADDING ARTICLE 7 TO CHAPTER 101, TITLE 59 SO AS TO PROVIDE THAT PARTICIPATING INSTITUTIONS IN THIS STATE SHALL CREATE A STUDENT ATHLETE TRUST FUND AND FUND THE TRUST WITH A PERCENTAGE OF THE INTERCOLLEGIATE SPORT GROSS REVENUE GENERATED FROM CERTAIN SOURCES, TO PROVIDE THAT FOR EACH YEAR A STUDENT ATHLETE MAINTAINS GOOD ACADEMIC STANDING, FIVE THOUSAND DOLLARS WILL BE DEPOSITED INTO THE FUND ON HIS BEHALF AND THE TOTAL TRUST FUND AMOUNT MAY NOT EXCEED TWENTY-FIVE THOUSAND DOLLARS FOR EACH STUDENT ATHLETE; TO PROVIDE THAT AFTER FULFILLMENT OF ALL ACADEMIC REQUIREMENTS FOR GRADUATION AND COMPLETION OF A STATE-APPROVED FINANCIAL LITERACY COURSE, THE PARTICIPATING INSTITUTION SHALL PROVIDE A ONE-TIME PAYMENT TO EACH STUDENT ATHLETE IN THE FULL AMOUNT DEPOSITED IN THE FUND ON THEIR BEHALF, TO PROVIDE CONDITIONS FOR RECEIPT OF THE TRUST FUND PAYMENT, AND TO DEFINE NECESSARY TERMS.

Referred to Committee on Education and Public Works

H. 3547 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-2350, SO AS TO PROVIDE THAT THE REEMPLOYMENT RIGHTS AND PROTECTIONS GRANTED TO MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD AND SOUTH CAROLINA STATE GUARD WHO SERVE STATE DUTY SHALL APPLY ALSO TO A PERSON WHO IS EMPLOYED IN SOUTH CAROLINA BUT IS A MEMBER OF ANOTHER STATE'S NATIONAL GUARD OR STATE GUARD.

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

H. 3548 -- Rep. J. E. Smith: A BILL TO AMEND SECTION 63-7-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTIFICATION AND TRANSFER OF REPORTS OF CHILD ABUSE OR NEGLECT, SO AS TO PROVIDE THAT IF THE ALLEGED ABUSED OR NEGLECTED CHILD IS A MEMBER OF AN ACTIVE DUTY MILITARY FAMILY, THE COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL NOTIFY CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; TO AMEND SECTION 63-7-920, RELATING TO INVESTIGATIONS AND CASE DETERMINATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, SO AS TO PROVIDE THAT THE DEPARTMENT OR LAW ENFORCEMENT, OR BOTH, MAY COLLECT INFORMATION CONCERNING THE MILITARY AFFILIATION OF THE PERSON HAVING CUSTODY OR CONTROL OF THE CHILD SUBJECT TO AN INVESTIGATION AND MAY SHARE THIS INFORMATION WITH THE APPROPRIATE MILITARY AUTHORITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION, SO AS TO MAKE TECHNICAL CORRECTIONS AND TO AUTHORIZE THE DEPARTMENT OF SOCIAL SERVICES TO GRANT ACCESS TO THE RECORDS OF AN INDICATED CASE TO CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; AND TO AMEND SECTION 63-11-80, RELATING TO CONFIDENTIAL INFORMATION WITHIN CHILD WELFARE AGENCIES, SO AS TO PROVIDE THAT AN OFFICER, AGENT OR EMPLOYEE OF THE DEPARTMENT OR A CHILD WELFARE AGENCY SHALL NOT DISCLOSE, DIRECTLY OR INDIRECTLY, INFORMATION LEARNED ABOUT A CHILD, THE CHILD'S PARENTS OR RELATIVES, OR OTHER PERSONS HAVING CUSTODY OR CONTROL OF THE CHILD, EXCEPT IN CASES INVOLVING A CHILD IN THE CUSTODY OR CONTROL OF PERSONS WHO HAVE MILITARY AFFILIATION.

Referred to Committee on Judiciary

H. 3549 -- Reps. Ott and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DELTA WATERFOWL" SPECIAL LICENSE PLATES.

Referred to Committee on Education and Public Works

S. 10 -- Senators L. Martin, Peeler, Courson, Campsen and Alexander: A BILL TO AMEND SECTION 30-4-40(a), SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO PUBLIC RECORDS IN THE FREEDOM OF INFORMATION ACT, TO REMOVE THE CAUSE OF DEATH BY A PERSON EXAMINED BY AN AUTOPSY FROM THE AUTOPSY EXCLUSIONS OF INFORMATION SUBJECT TO PUBLIC RELEASE IN THE FREEDOM OF INFORMATION ACT; AND TO AMEND SECTION 30-4-50 RELATING TO CATEGORIES SPECIFICALLY NAMED PUBLIC INFORMATION, TO INCLUDE REPORTS OF THE CAUSE OF DEATH FOR PERSONS EXAMINED BY AUTOPSY.

Referred to Committee on Judiciary

S. 196 -- Senators Hutto, L. Martin, Bryant, Campsen, S. Martin and Lourie: A BILL TO AMEND SECTION 14-7-1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GRAND JURY SYSTEM AND LEGISLATIVE FINDINGS AND APPLICABILITY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 14-7-1630, AS AMENDED, RELATING TO JURISDICTION OF THE STATE GRAND JURY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING IN PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16-3-2010, RELATING TO DEFINITIONS FOR PURPOSES OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE DEFINITION OF "SEX TRAFFICKING"; BY ADDING SECTION 16-3-2100 SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESS ESTABLISHMENTS, PROVIDE LANGUAGE FOR THE POSTING, AND PROVIDE A PENALTY FOR THE FAILURE TO POST THE INFORMATION; AND TO AMEND SECTION 16-3-2050, RELATING TO THE INTERAGENCY TASK FORCE FOR THE PREVENTION OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE MEMBERSHIP OF THE TASK FORCE.

Referred to Committee on Judiciary

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bradley | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Hicks |
| Hill | Hixon | Hodges |
| Horne | Howard | Huggins |
| Jefferson | Johnson | Kennedy |
| King | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McKnight | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**STATEMENT OF ATTENDANCE**

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

|  |  |
| --- | --- |
| Heather Crawford | Dan Hamilton |
| William G. Herbkersman | Davey Hiott |
| Lonnie Hosey | H. B. "Chip" Limehouse |
| Peter McCoy, Jr. | Mia S. McLeod |
| Harold Mitchell | Leon Stavrinakis |
| Anne Thayer  Joe Neal | Bill Bowers |

**Total Present--118**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ROBINSON-SIMPSON a leave of absence for the day due to family medical reasons.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BOWERS a temporary leave of absence due to a business school meeting.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Radwan Hallaba of Charleston was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3078 |
| Date: | ADD: |
| 02/10/15 | HICKS, LONG, SOUTHARD, DANING, WELLS, CORLEY, HERBKERSMAN, WILLIAMS and GILLIARD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3083 |
| Date: | ADD: |
| 02/10/15 | KENNEDY and CLARY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3124 |
| Date: | ADD: |
| 02/10/15 | PUTNAM |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3125 |
| Date: | ADD: |
| 02/10/15 | PUTNAM |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3179 |
| Date: | ADD: |
| 02/10/15 | BALES and ANTHONY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3202 |
| Date: | ADD: |
| 02/10/15 | GILLIARD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3218 |
| Date: | ADD: |
| 02/10/15 | PUTNAM |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3396 |
| Date: | ADD: |
| 02/10/15 | CROSBY, SOTTILE, SIMRILL, CLEMMONS, HENDERSON, LOFTIS, TAYLOR, MCCOY, MURPHY, TALLON, BRANNON, ERICKSON, TOOLE, CLARY, WELLS, D. C. MOSS, HORNE, BEDINGFIELD, HAMILTON, FINLAY, MERRILL, WHITMIRE, HERBKERSMAN, HARDWICK, DUCKWORTH, ALLISON, V. S. MOSS, NORMAN, QUINN, LIMEHOUSE, ATWATER, WILLIS and SPIRES |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3430 |
| Date: | ADD: |
| 02/10/15 | HENDERSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3433 |
| Date: | ADD: |
| 02/10/15 | MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3441 |
| Date: | ADD: |
| 02/10/15 | LONG, HENDERSON, HICKS, ALLISON, CLARY, HORNE and THAYER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3509 |
| Date: | ADD: |
| 02/10/15 | MACK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3537 |
| Date: | ADD: |
| 02/10/15 | FELDER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3539 |
| Date: | ADD: |
| 02/10/15 | BERNSTEIN, KING, GOVAN, MCKNIGHT, WILLIAMS, NORRELL, TINKLER, HENEGAN, BALES, JEFFERSON, NEWTON and HICKS |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3044 |
| Date: | REMOVE: |
| 02/10/15 | FELDER |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3508 |
| Date: | REMOVE: |
| 02/10/15 | LIMEHOUSE |

**H. 3006--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3006 -- Reps. Atwater, Bedingfield, Allison, Bannister, Bingham, Brannon, Clemmons, Crosby, Daning, Erickson, Felder, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Horne, Huggins, Limehouse, Loftis, Long, McCoy, Merrill, D. C. Moss, V. S. Moss, Nanney, Newton, Putnam, Quinn, Sandifer, G. M. Smith, G. R. Smith, Sottile, Stringer, Tallon, Thayer, Whitmire, Willis, Southard, Hixon, Pitts, Ballentine, Toole, Simrill, Lucas, Kennedy, Rivers and Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-138 SO AS TO PROVIDE A REGULATION PROMULGATED UNDER THE ADMINISTRATIVE PROCEDURES ACT EXPIRES FIVE YEARS FROM THE DATE ON WHICH IT BECOMES EFFECTIVE; TO AMEND SECTION 1-23-120, AS AMENDED, RELATING TO THE APPROVAL OF REGULATIONS, SO AS TO DELETE LANGUAGE REQUIRING A STATE AGENCY TO PERIODICALLY REVIEW REGULATIONS IT PROMULGATES.

Reps. W. J. MCLEOD, HODGES, WHITMIRE, MCKNIGHT, HILL, SOUTHARD, TOOLE, ATWATER, RIDGEWAY, DOUGLAS, MCEACHERN, DANING, CROSBY, J. E. SMITH, KING, ANDERSON, R. L. BROWN, G. A. BROWN, MACK, BEDINGFIELD, WEEKS, HENEGAN, M. S. MCLEOD, H. A. CRAWFORD, NORRELL, HART and CLYBURN requested debate on the Bill.

**H. 3179--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3179 -- Reps. Toole, Sandifer, Bales and Anthony: A BILL TO AMEND SECTION 40-2-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERS OF THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO REVISE THE BOARD COMPOSITION; TO AMEND SECTION 40-2-35, RELATING TO CERTIFIED PUBLIC ACCOUNTANT LICENSURE REQUIREMENTS, SO AS TO ALSO REQUIRE APPLICANTS TO UNDERGO STATE AND FEDERAL CRIMINAL RECORDS CHECKS AND TO REQUIRE CONTINUING EDUCATION OR ADDITIONAL EXPERIENCE, AS APPLICABLE, FOR APPLICANTS WHO DELAY SUBMITTING AN APPLICATION FOR A SUBSTANTIAL PERIOD OF TIME AFTER PASSING THE CERTIFIED PUBLIC ACCOUNTING EXAMINATION OR OBTAINING ACCOUNTING EXPERIENCE; TO AMEND SECTION 40-2-40, RELATING TO QUALIFICATIONS FOR REGISTRATION OF A CERTIFIED PUBLIC ACCOUNTING FIRM, SO AS TO PROVIDE THAT A SIMPLE MAJORITY OF THE FIRM OWNERSHIP MUST BE CERTIFIED PUBLIC ACCOUNTANTS, TO FURTHER PROVIDE QUALIFICATIONS AND CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS FOR NONCERTIFIED PUBLIC ACCOUNTANT OWNERS, AND TO GIVE THE BOARD OF ACCOUNTANCY THE DISCRETION TO CHARGE REGISTRATION AND RENEWAL FEES; TO AMEND SECTION 40-2-80, AS AMENDED, RELATING TO THE INVESTIGATION OF COMPLAINTS AND DISCIPLINARY PROCEEDINGS, SO AS TO PROVIDE THAT IN CONDUCTING INVESTIGATIONS AND PROCEEDINGS THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY REQUIRE STATE AND FEDERAL CRIMINAL RECORDS CHECKS; TO AMEND SECTION 40-2-250, AS AMENDED, RELATING TO APPLICATIONS FOR LICENSE RENEWAL, SO AS TO PROVIDE THAT APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN REINSTATEMENT FEES AND SANCTIONING OF THE LICENSEE; AND TO AMEND SECTION 40-2-255, RELATING TO APPLICATIONS FOR REGISTRATION RENEWAL, SO AS TO PROVIDE THAT APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN SANCTIONING OF THE REGISTRANT.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3179 (COUNCIL\AGM\3179C001. AGM.AB15), which was adopted:

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

/ SECTION 1. Section 40‑2‑10(A) of the 1976 Code amended to read:

“Section 40‑2‑10. (A)(1) There is created the South Carolina Board of Accountancy which is responsible for the administration and enforcement of this chapter. The board shall consist of ~~nine~~ eleven members appointed by the Governor, all of whom must be residents of this State~~;~~ and:

(a) ~~five of whom must be~~ there must be one resident licensed certified public ~~accountants~~ accountant from each congressional district;

(b) two ~~of whom~~ members must be a licensed public ~~accountants~~ accountant or a licensed accounting ~~practitioners~~ practitioner; and

(c) two ~~of whom must be~~ members must be from the public at large ~~of the public~~, one of whom must be an attorney licensed in this State, who:

(i) are not engaged in the practice of public accounting~~,~~; (ii) have no financial interest in the profession of public accounting~~,~~; and

(iii) have no immediate family member in the profession of public accounting. As used in this section, ‘immediate family member’ is defined in Section 8‑13‑100(18).

(2) Members are appointed for terms of four years and serve until their successors are appointed and qualify. Vacancies must be filled by the Governor for the unexpired portions of the term in the manner of the original appointment. The Governor shall remove a member of the board in accordance with Section 1‑3‑240.

(3) Failure by a licensed certified public accountant to maintain residency in the district for which he is appointed shall result in the forfeiture of his office.”

SECTION 2. A. Section 40‑2‑20(2) of the 1976 Code is amended to read:

“(2) ‘Attest’ means providing the following ~~financial statement~~ services:

(a) an audit or other engagement to be performed in accordance with the Statements on Auditing Standards (SAS);

(b) a review of a financial statement to be performed in accordance with the Statements on Standards for Accounting and Review Services (SSARS);

(c) an examination of prospective financial information to be performed in accordance with the Statements on Standards for Attestation Engagements (SSAE); ~~or~~

(d) any engagement to be performed in accordance with Public Company Accounting Oversight Board (PCAOB) Auditing Standards~~.~~; or

(e) any examination, review, or agreed upon procedure to be performed in accordance with the SSAE, other than an examination described in item (c).”

B. Section 40‑2‑20(15) of the 1976 Code is amended to read:

“(15) ‘Practice of accounting’ means:

(a) Issuing a report on financial statements of a person, firm, organization, or governmental unit or offering to render or rendering any attest or compilation service. This restriction does not prohibit any act of a public official or public employee in the performance of that person’s duties or prohibit the performance by a nonlicensee of other services involving the use of accounting skills, including the preparation of tax returns, management advisory services, and the preparation of financial statements without the issuance of reports ~~on the financial statement~~; or

(b) using or assuming the title ‘Certified Public Accountant’ or the abbreviation ‘CPA’ or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a certified public accountant.”

C. SECTION 40‑2‑20(17) of the 1976 Code is amended to read:

“(17) ‘Report’, when used with reference to ~~financial statements~~ any attest or compilation service, means an opinion, report, or other form of language that states or implies assurance as to the reliability of ~~a~~ the attested information or compiled financial statement and that also includes or is accompanied by a statement or implication that the person or firm issuing it has special knowledge or competency in accounting or auditing. This statement or implication of special knowledge or competency may arise from use by the issuer of the report of names or titles indicating that the person or firm is an accountant or auditor. The term ‘report’ includes any form of language which disclaims an opinion when the form of language is conventionally understood to imply positive assurance as to the reliability of the attested information or compiled financial statements referred to or special competency on the part of the person or firm issuing such language, or both; and it includes any other form of language that is conventionally understood to imply such assurance or such special knowledge or competency, or both.”

SECTION 3. A. Section 40‑2‑30(B) of the 1976 Code is amended to read:

“(B) Only licensed certified public accountants or public accountants or individuals qualifying for a practice privilege pursuant to Section 40‑2‑245 may issue a report on financial statements of a person, firm, organization, or governmental unit or offer to render or render any attest or compilation service as defined, except as provided in Section 40‑2‑340. This restriction does not prohibit an act of a public official or public employee in the performance of that person’s duties or prohibit the performance by any nonlicensee of other services involving the use of accounting skills, including the preparation of tax returns, management advisory services, and the preparation of financial statements without the issuance of reports ~~on the financial statements~~.”

B. Section 40‑2‑30(H) and (I) of the 1976 Code is amended to read:

“(H) This section does not apply to a person or firm holding a certification, designation, degree, or license granted in a foreign country entitling the holder to engage in the practice of public accountancy or its equivalent in that country; whose activities in this State are limited to the provision of professional services to persons or firms who are residents of, governments of, or business entities of the country in which the person holds the entitlement; who performs no attest or compilation services and who issues no reports, as defined in this chapter, with respect to the ~~financial statements~~ information of any other persons, firms, or governmental units in this State; and who does not use in this State any title or designation other than the one under which the person practices in their country, followed by a translation of the title or designation into the English language, if it is in a different language, and by the name of the country.

(I)(1) Firms that do not have an office in this State, and that do not perform the services described in Section 40‑2‑20(2)(a) (audits), (c) (examinations), or (d) (services under PCAOB Auditing Standards) for a client having its home office in this State, may engage in the practice of accounting, without obtaining a registration pursuant to Section 40‑2‑40, as specified in this subsection.

(2) A firm described in subsection (I)(1) may perform services described in Section 40‑2‑20(2)(b), 2(e) or (5) for a client having its home office in this State, may engage in the practice of accounting, as specified in this section, and may use the title ‘CPA’ or ‘CPA firm’ only if the firm:

(a) has the qualifications described in Section 40‑2‑40(C) and Section 40‑2‑255(C); and

(b) performs these services through an individual with practice privileges under Section 40‑2‑245.

(3) A firm described in subsection (I)(1) that is not subject to the requirements of subsection (I)(2) may perform other professional services within the practice of accounting while using the title ‘CPA’ or ‘CPA firm’ in this State only if the firm:

(a) performs these services through an individual with practice privileges under Section 40‑2‑245; and

(b) can lawfully do so in the state where these individuals with practice privileges have their principal place of business.

(4) Notwithstanding any other provision of this section, it is not a violation of this section for a firm that does not hold a valid permit under Section 40‑2‑40 and which does not have an office in this State to provide its professional services or to engage in the practice of accounting so long as it complies with the requirements of subsection (I)(2) or (3), whichever is applicable.”

SECTION 4. Section 40‑2‑35(B) through (G) of the 1976 Code is amended to read:

“(B)(1) In addition to other requirements established by law and for the purpose of determining an applicant’s eligibility for licensure to practice as a certified public accountant, the board may require a state criminal records check, including fingerprints, performed by the South Carolina Law Enforcement Division, and a national criminal records check, including fingerprints, performed by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the board. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the board regarding criminal charges. The board shall keep information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed as may be necessary to support the administrative action.

(2) Notwithstanding any other provision of law to the contrary, the dismissal of a prosecution of fraudulent intent in drawing a dishonored check by reason of want of prosecution or proof of payment of restitution and administrative costs must not be used as evidence of a lack of good moral character for the purposes of disqualifying a person seeking licensure or renewal of licensure pursuant to this chapter.

(3) The applicant must bear all costs associated with conducting criminal record checks.

(C) To meet the educational requirement as part of the one hundred fifty semester hours of education, the applicant must demonstrate successful completion of:

(1) at least thirty‑six semester hours of accounting in courses that are applicable to a baccalaureate, masters, or doctoral degree and which cover financial accounting, managerial accounting, taxation, and auditing, of which at least twenty‑four semester hours must be taught at the junior level or above; and

(2) at least thirty‑six semester hours of business courses that are applicable to a baccalaureate, masters, or doctoral degree and which may include macro and micro economics, finance, business law, management, computer science, marketing, and accounting hours not counted in item (1).

~~(C)~~(D) The board shall accept a transcript from a college or university accredited by the Southern Association of Colleges and Schools or another regional accrediting association having the equivalent standards or an independent senior college in South Carolina certified by the State Department of Education for teacher training, and accounting and business programs accredited by the American Assembly of Collegiate Schools of Business (AACSB) or any other accrediting agency having equivalent standards. Official transcripts signed by the college or university registrar and bearing the college or university seal must be submitted to demonstrate education and degree requirements. Photocopies of transcripts must not be accepted.

~~(D)~~(E) An applicant may apply for examination by submitting forms approved by the board. In order for an application to be considered a completed application, all blanks and questions on the application form must be completed and answered and all applicable documentation must be attached and:

(1) the application must be accompanied by the submission of photo identification, fingerprints, or other identification information as considered necessary to ensure the integrity of the exam administration;

(2) application fees must accompany the application. Fees for the administration of the examination must recover all costs for examination administration. The fees required for each examination must be published to applicants on the application form. If a check in payment of examination fees fails to clear the bank, the application is considered incomplete and the application must be returned to the candidate;

(3) the applicant must have on record with the board official transcripts from a college or university approved by the board demonstrating successful completion of one hundred twenty semester hours credit, including:

(a) at least twenty‑four semester hours of accounting in courses that are applicable to a baccalaureate, masters, or doctoral degree and which cover financial accounting, managerial accounting, taxation, and auditing; and

(b) at least twenty‑four semester hours of business courses that are applicable to a baccalaureate, masters, or doctoral degree and which may include macro and micro economics, finance, business law, management, computer science, marketing, and accounting hours not counted in item (a).

~~(E)~~(F) A candidate must pass all sections of the examination provided for in Section 40‑2‑35(A)(2) in order to qualify for a certificate.

(1) Upon the implementation of a computer‑based examination, a candidate may take the required test sections individually and in any order. Credit for any test section passed is valid for eighteen months from the actual date the candidate took that test section, without having to attain a minimum score on any failed test section and without regard to whether the candidate has taken other test sections.

(a) A candidate must pass all four test sections of the Uniform CPA Examination within a rolling eighteen‑month period, which begins on the date that the first test section is passed. The board by regulation may provide additional time to an applicant on active military service. The board also may accommodate any hardship which results from the conditions of administration of the examination.

(b) A candidate cannot retake a failed test section in the same examination window. An examination window refers to a three‑month period in which candidates have an opportunity to take the CPA examination. If all four test sections of the Uniform CPA Examination are not passed within the rolling eighteen‑month period, credit for any test section passed outside the eighteen‑month period expires and that test section must be retaken.

(c) A candidate who applies for a license more than three years after the date upon which the candidate passed the past section of the Uniform CPA Examination must document one hundred and twenty hours of acceptable continuing professional education in order to qualify, in addition to all other requirements imposed by this section.

(2) A candidate may arrange to have credits for passing sections of the examination under the jurisdiction of another state or territory of the United States transferred to this State. Credits transferred for less than all sections of the examination are subject to the same conditional credit rules as if the examination had been taken in South Carolina.

~~(F)~~(G) An applicant may demonstrate experience as follows:

(1) Experience may be gained in either full‑time or part‑time employment. Two thousand hours of part‑time accounting experience is equivalent to one year. Experience may not accrue more rapidly than forty hours per week.

(2) The five years of teaching experience provided for in Section 40‑2‑35(A)(4)(b) consists of five years of full‑time teaching of accounting courses at a college or university accredited by the Southern Association of Colleges and Schools or another regional accrediting association having equivalent standards or an independent senior college in South Carolina certified by the State Department of Education for teacher training.

(a) In order for teaching experience to qualify as full‑time teaching, the applicant must have been employed on a full‑time basis as defined by the educational institution where the experience was obtained; however, teaching ~~less~~ fewer than twelve ~~semester~~ hours per ~~year~~ semester, or the equivalent in quarter hours, must not be considered as full‑time teaching experience.

(b) Experience credit for teaching on a part‑time basis qualifies on a pro rata basis based upon the number of semester hours required for full‑time teaching at the educational institution where the teaching experience was obtained.

(c) Teaching experience may not accrue more rapidly than elapsed chronological time.

(d) An applicant must not be granted credit for full‑time teaching completed in less than one academic year.

(e) An applicant must not be granted more than one full‑time teaching year credit for teaching completed within one calendar year.

(f) Teaching experience must not be granted for teaching subjects outside the field of accounting. Subjects considered to be outside the field of accounting include, but are not limited to, business law, finance, computer applications, personnel management, economics, and statistics.

(g) Of the five years of full‑time teaching experience, credit for teaching accounting principles courses or fundamental accounting (below intermediate accounting) may not exceed two full‑time teaching years and the remaining three full‑time teaching years’ experience must be obtained in teaching courses above accounting principles.

(h) Accounting courses considered to be above accounting principles include, but are not limited to, intermediate accounting, advanced accounting, auditing, income tax, financial accounting, management accounting, and cost accounting.

(i) Experience other than public accounting experience counts only in proportion to duties which, in the opinion of the board, contribute to competence in public accounting.

(j) The board may require other information as it considers necessary to determine the acceptability of experience including, but not limited to, review of work papers and other work products, review of time records, and interviews with applicants and supervisors.

(3) For purposes of this subsection, ‘experience’ shall have the same meaning as ‘appropriate experience’ in Section 40‑2‑35(A)(4); however, if the applicant obtained the experience seven or more years before submitting an application, the applicant shall have obtained an additional six months of experience within two years before submitting the application.”

SECTION 5. Section 40‑2‑40 of the 1976 Code is amended to read:

“Section 40‑2‑40. (C) Qualifications for registration as a certified public accountant firm are as follows:

(1) A ~~super majority, sixty‑six and two‑thirds percent~~ simple majority of the ownership of the firm in terms of financial interests and voting rights of all partners, officers, shareholders, members or managers must belong to certified public accountants currently licensed in some state. Although firms may include nonlicensed owners, the firm and its ownership must comply with regulations promulgated by the board. ~~The noncertified public accountant owner~~ All nonlicense owners must be ~~actively engaged as a member of the firm~~ active individual participants in the firm or ~~its~~ affiliated entities ~~in providing services to the firm’s clients. Ownership by investors or commercial enterprises is prohibited~~.

(2) Partners, officers, shareholders, members, or managers whose principal place of business is in this State, and who perform professional services in this State, must hold a valid license issued pursuant to this section. An individual who has practice privileges under Section 40‑2‑245 who performs services for which a firm permit is required pursuant to Section 40‑2‑245(D) must not be required to obtain a license from this State pursuant to Section 40‑2‑35.

(3) For firms registering under subsection (B)(1)(a) or (b), there must be a designated resident manager in charge of each office in this State who must be a certified public accountant licensed in this State.

(4) Noncertified public accountant owners must not assume ultimate responsibility for any financial statement, attest, or compilation engagement.

(5) Noncertified public accountant owners shall abide by the code of professional ethics adopted pursuant to this chapter.

(6) Owners shall at all times maintain ownership equity in their own right and must be the beneficial owners of the equity capital ascribed to them. Provision must be made for the ownership to be transferred to the firm or to other qualified owners if the noncertified public accountant ceases to be ~~actively engaged a~~ an active individual participant in the firm.

(7)(a) This section applies only to noncertified public accountant owners who are residents of this State.

(b) Noncertified public accountant owners must complete the same number of hours of continuing professional education as licensed certified public accountants in this State.

(c) Noncertified public accountant owners who are licensed professionals subject to continuing education requirements applicable to that profession may complete the required number of continuing professional education hours in courses offered or accepted by organizations or regulatory bodies governing that profession, and also must complete the same number of hours of continuing professional education as licensed certified public accountants in this State.

(8) A certified public accountant firm and its designated resident manager under subitem (3) are responsible for the following in regards to a noncertified public accountant owner:

(a) a noncertified public accountant owner shall comply with all applicable accountancy statutes and regulations; and

(b) a noncertified public accountant owner shall be of good moral character and shall not engage in any conduct that, if committed by a licensee, would constitute a violation of the regulations promulgated by the board.

(D) Registration must be initially issued and renewed annually. Applications for registration must be made in such form, and in the case of applications for renewal, between such dates as the board by regulation may specify, and the board shall grant or deny any such application after filing in proper form.

(E) An applicant for initial issuance or renewal of a registration to practice pursuant to this chapter shall register each ~~office of the~~ firm within this State with the board and shall demonstrate that all attest and compilation services rendered in this State are under the charge of a person holding a valid license issued pursuant to this section or the corresponding provision of prior law or of some other state.

(F) The board ~~shall~~ may charge a fee for each application for initial issuance or renewal of a registration issued pursuant to this section.”

SECTION 6. Section 40‑2‑80 of the 1976 Code is amended by adding:

“(H)(1) In an investigation or disciplinary proceeding concerning a licensee, the department may require a state criminal records check, including fingerprints, performed by the South Carolina Law Enforcement Division, and a national criminal records check, including fingerprints, performed by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. The department shall keep information received pursuant to this section confidential, except that information relied upon in an administrative action may be disclosed as may be necessary to support the administrative action.

(2) Notwithstanding any other provision of this section or any other provision of law, the dismissal of a prosecution of fraudulent intent in drawing a dishonored check by reason of want of prosecution or proof of payment of restitution and administrative costs must not be used as evidence of performance of a fraudulent act for disciplinary purposes.

(3) Costs of conducting a criminal records check are the responsibility of the department and may be recovered as administrative costs associated with an investigation or hearing pursuant to this chapter unless ordered by the department as a cost in a disciplinary proceeding.”

SECTION 7. Section 40‑2‑250 of the 1976 Code is amended to read:

“Section 40‑2‑250. (A) A licensee shall file an application for renewal on or before ~~January~~ February first of ~~each calendar~~ the following year.

(B) The application for renewal of a license must include:

(1) current information concerning practice status;

(2) a verified continuing education report;

(3) renewal fee, if any.

(C) ~~The~~ A licensee shall file a verified report of continuing education ~~must~~ on or before February first and document forty hours of acceptable continuing education ~~each~~ during the immediately preceding calendar year. Not more than twenty percent of the required hours may be in personal development subjects. A licensee is not required to report continuing education for the year in which the initial license was obtained. The board by regulation may provide for the carryover of excess hours of continuing education not to exceed twenty hours a year. No carryover is allowed from a year in which continuing education was not required.

(D) ~~A license not renewed~~ If a licensee does not file an application for renewal on or before ~~January~~ February first, the license is considered ~~revoked~~ lapsed. Continued practice after ~~January~~ February fifteenth ~~must~~ may be sanctioned as unlicensed practice of accounting.

(E) Renewal applications filed or completed after ~~January~~ February fifteenth are subject to a reinstatement fee in the amount of five hundred dollars. A person may not practice on a ~~revoked~~ lapsed license.”

SECTION 8. Section 40‑2‑255 of the 1976 Code is amended to read:

“Section 40‑2‑255. (A) A registrant shall file an application for renewal of the calendar‑year registration on or before ~~January~~ February first of ~~each calendar~~ the following year.

(B) The application for renewal of a registration shall include:

(1) current information concerning ownership;

(2) current information concerning the identity of the licensee in charge of the office;

(3) renewal fee, if any.

(C) As a condition of renewal of registration, an applicant who engages in attest or compilation services, or both, must provide evidence of satisfactory completion of peer review no more frequently than once every three years. Peer review must be conducted in a manner as the board specifies by regulation. This review must include a verification that individuals in the firm, who are responsible for supervising attest or compilation services, or both, and who sign or authorize someone to sign the accountant’s report on the financial statements on behalf of the firm, meet the competency requirements set out in the professional standards for these services and these regulations must:

(1) ~~include reasonable provision for compliance by~~ require an applicant ~~that can~~ to show that ~~it~~ the applicant has, within the preceding three years, undergone a peer review that is a satisfactory equivalent to peer review as generally required pursuant to this subsection;

(2) require~~, with respect to~~ peer reviews~~, that they~~ to be subject to oversight by a body established or sanctioned by the board, which shall periodically report to the board on program review effectiveness under its charge and provide to the board a listing of firms that have participated in a peer review program;

(3) require~~, with respect to peer review, that the~~ peer reviews ~~processes~~ to be ~~operated~~ conducted and that work and documents be maintained in a manner designed to preserve confidentiality of documents furnished or generated in the course of the review.

(D) ~~A registration not renewed~~ If a registrant does not file an application for renewal on or before ~~January~~ February first, the registration is considered ~~revoked~~ lapsed. Continued practice after ~~January~~ February fifteenth ~~must~~ may be sanctioned as unlicensed practice of accounting.”

SECTION 9. Section 40‑2‑560(C) of the 1976 code is amended to read:

“(C) A partnership, firm, or registrant must file an application in accordance with Section 40‑2‑40 and Section 40‑2‑255.”

SECTION 10. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. TOOLE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bernstein | Bingham |
| Bradley | G. A. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Norrell |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--102**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber meeting with colleagues on the Appropriation Bill during the vote on H. 3179. If I had been present, I would have voted in favor of this Bill.

Rep. Brian White

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3179. If I had been present, I would have voted in favor of the Bill.

Rep. Rita Allison

**H. 3199--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3199 -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Douglas, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, Weeks, W. J. McLeod, Whipper, Hicks and Jefferson: A BILL TO AMEND SECTION 8-13-1318, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBT, SO AS TO REQUIRE THAT CONTRIBUTIONS RECEIVED PURSUANT TO THIS SECTION MUST BE USED FOR THE SOLE PURPOSE OF RETIRING CAMPAIGN DEBT.

Rep. COLE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bernstein |
| Bingham | Bradley | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hardee | Hardwick |
| Hart | Hayes | Henderson |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Kennedy | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Newton | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Tallon | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--109**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber meeting with colleagues on the Appropriation Bill during the vote on H. 3199. If I had been present, I would have voted in favor of this Bill.

Rep. Brian White

**H. 3194--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3194 -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, M. S. McLeod, Weeks, W. J. McLeod, Whipper and Hicks: A BILL TO AMEND SECTIONS 8-13-100 AND 8-13-1300, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE DEFINITIONS OF "CANDIDATE" FOR PURPOSES OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT, SO AS TO SPECIFY THAT A "CANDIDATE" IS ALSO A PERSON THAT MAINTAINS AN OPEN BANK ACCOUNT CONTAINING CONTRIBUTIONS; AND TO AMEND SECTION 8-13-1302, AS AMENDED, RELATING TO THE MAINTENANCE OF RECORDS OF CONTRIBUTIONS, SO AS TO AUTHORIZE THE APPROPRIATE SUPERVISORY OFFICE TO REQUEST IN WRITING THE DISCLOSURE OF CERTAIN MANDATORY RECORDS FOR THE PURPOSE OF VERIFYING CAMPAIGN DISCLOSURE FORMS.

Rep. HILL proposed the following Amendment No. 1 to H. 3194 (COUNCIL\GGS\3194C001.GGS.ZW15), which was tabled:

Amend the bill, as and if amended, by striking SECTIONS 1 AND 2.

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. COLE spoke against the amendment.

**POINT OF ORDER OVERRULED**

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

The SPEAKER overruled the Point of Order.

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

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bamberg | Bernstein | Bradley |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Kennedy | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Putnam |
| Ridgeway | Riley | Rivers |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Tallon | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | Whitmire | Williams |
| Willis | Yow |  |

**Total--107**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Hill |  |  |

**Total--1**

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

RECORD FOR VOTING

I was temporarily out of the Chamber meeting with colleagues on the Appropriation Bill during the vote on H. 3194. If I had been present, I would have voted in favor of this Bill.

Rep. Brian White

**H. 3202--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3202 -- Reps. Funderburk, Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, McCoy, Cobb-Hunter, McKnight, Clary, M. S. McLeod, J. E. Smith, Weeks, W. J. McLeod, Whipper, Hicks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-27-05 SO AS TO ENTITLE CHAPTER 27 THE "SOUTH CAROLINA WHISTLEBLOWER AND PUBLIC EMPLOYEE PROTECTION ACT"; TO AMEND SECTION 8-27-20, AS AMENDED, RELATING TO REWARDS FOR REPORTS RESULTING IN SAVINGS, SO AS TO ELIMINATE THE TWO THOUSAND DOLLAR CAP ON REWARDS; AND TO AMEND SECTION 8-27-30, AS AMENDED, RELATING TO CIVIL ACTIONS AGAINST AN EMPLOYING PUBLIC BODY FOR RETALIATION AGAINST AN EMPLOYEE WHO REPORTS A VIOLATION OF STATE OR FEDERAL LAW OR REGULATION, SO AS TO REMOVE THE ONE-YEAR LIMITATION ON THE PERIOD DURING WHICH THE EMPLOYEE IS PROTECTED FROM ADVERSE EMPLOYMENT ACTIONS, AND TO PROVIDE FOR ADDITIONAL REMEDIES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3202 (COUNCIL\MS\3202C001.MS.AHB15), which was adopted:

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

/ SECTION 1. Chapter 27, Title 8 of the 1976 Code is amended by adding:

“Section 8‑27‑05. This chapter may be cited as the ‘South Carolina Whistleblower and Public Employee Protection Act’.”

SECTION 2. Section 8-27-10(3) of the 1976 Code, as added by Act 164 of 1993, is amended to read:

“(3) ‘Appropriate authority’ means, respectively, the public body that employs the person making the report; or a federal, state, or local governmental body, agency, or organization having jurisdiction over criminal law enforcement, regulatory violations, professional conduct or ethics, or wrongdoing. If a report is made to an entity other than the public body employing the person making the report, the employing public body must be notified as soon as practicable by the entity that received the report. The term includes, but it is not limited to, the Inspector General, the South Carolina Law Enforcement Division, the Solicitor’s Office, the State Ethics Commission, the State Auditor, the Legislative Audit Council, and the Office of Attorney General.”

SECTION 3. Section 8‑27‑20 of the 1976 Code, as last amended by Act 164 of 1993, is further amended to read:

“Section 8‑27‑20. (A) ~~No~~ A public body may not dismiss, suspend from employment, demote, or decrease the compensation of an employee of a public body because the employee files a written report with an appropriate authority of wrongdoing. If the appropriate authority determines the employee’s report is unfounded, or amounts to a mere technical violation, and is not made in good faith, the public body may take disciplinary action including termination. Any public body covered by this chapter may impose disciplinary sanctions, in accordance with its internal disciplinary procedures, against any of its direct line supervisory employees who retaliate against another employee for having filed a good faith report under this chapter.

(B) If the employee’s report results in a saving of any public money from the abuses described in this chapter, twenty‑five percent of the estimated net savings resulting from the first year of implementation of the employee’s report~~, but not more than two thousand dollars,~~ must be rewarded to the employee by the public body as determined by the ~~State Budget and Control Board~~ Director of the Department of Administration. This chapter does not supersede the State Employee Suggestion Program. For employees of state agencies participating in the program, items that they identify involving wrongdoing must be referred as a suggestion to the program by the employee. An employee is entitled to only one reward either under this section or under the program, at the employee’s option. In the event multiple employees report the same abuse, the employees may not receive more in total than the twenty-five percent estimated net savings resulting from the first year of implementation of the employees’ report. The Director of the Department of Administration will determine the appropriate awards.”

SECTION 4. Section 8‑27‑30 of the 1976 Code, as last amended by Act 164 of 1993, is further amended to read:

“Section 8‑27‑30. (A) If an employee is dismissed, suspended from employment, demoted, or receives a decrease in compensation, ~~within one year~~ after having timely reported an alleged wrongdoing under this chapter, the employee may institute a ~~nonjury~~ civil action against the employing public body for:

(1) reinstatement to his former or an equivalent position;

(2) compensation for lost wages and health care or retirement benefits;

(3) actual damages ~~not to exceed fifteen thousand dollars~~ that result directly from the temporary or permanent loss of health care or retirement benefits; and

(4) reasonable attorney fees as determined by the court, ~~but this award of attorney fees may not exceed ten thousand dollars for any trial and five thousand dollars for any appeal~~ not to exceed one third of the total recovery by the employee.

The action must be brought in the court of common pleas of the county in which the employment action occurred. ~~No~~ An action may not be brought under this chapter unless:

(1) the employee has exhausted all available grievance or other administrative remedies; and

(2) any previous proceedings have resulted in a finding that the employee would not have been disciplined but for the reporting of alleged wrongdoing.

(B) An action under this chapter ~~must be commenced within one year after the accrual of the cause of action or exhaustion of all available grievance or other administrative and judicial remedies or~~ is forever barred unless it is commenced within one year after the later of the following, the:

(1) dismissal, suspension, demotion, or decrease in compensation;

(2) exhaustion of all available grievance or other administrative and judicial remedies; or

(3) termination of the employment relationship between the employee and the public body against whom the employee’s report was made.”

SECTION 5. The repeal or amendment by this act of a law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded on the law, or alter, discharge, release or extinguish a penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision expressly provides. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining a pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

Renumber sections to conform.

Amend title to conform.

Rep. POPE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Ballentine | Bamberg |
| Bernstein | Bradley | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hardee |
| Hardwick | Hart | Hayes |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Kirby | Knight |
| Limehouse | Loftis | Long |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Putnam |
| Ridgeway | Riley | Rivers |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Southard | Spires |
| Stavrinakis | Tallon | Thayer |
| Tinkler | Weeks | Wells |
| Whipper | Whitmire | Williams |
| Willis | Yow |  |

**Total--98**

Those who voted in the negative are:

**Total--0**

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

Rep. J. E. SMITH moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3533 -- Rep. Hodges: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE DEATH OF MAYOR BURLEY L. LYONS OF EDISTO BEACH AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

**ADJOURNMENT**

At 1:02 p.m. the House, in accordance with the motion of Rep. HORNE, adjourned in memory of John Thomas Black of Summerville, to meet at 10:00 a.m. tomorrow.

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