~~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 18:30: “As for God, His way is perfect; the word of the Lord is proven; He is a shield to all who trust in Him.”

Let us pray. Almighty God, we give thanks to You for Your guidance and protection through all these days. Keep these Representatives focused on the mission You have chosen for them. Bless our Nation, President, State, Governor, Speaker, staff, and all who contribute to the completion of the necessary work here. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice 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 *PRO TEMPORE*.

After corrections to the Journal of the proceedings of Friday, March 27, the SPEAKER *PRO TEMPORE* ordered it confirmed.

**MOTION ADOPTED**

Rep. TALLON moved that when the House adjourns, it adjourn in memory of the Honorable T. W. Edwards of Spartanburg, which was agreed to.

**SPEAKER IN CHAIR**

**COMMUNICATION**

The following was received:

State of South Carolina

Office of the Governor

Columbia, S.C., March 25, 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.

Master-in-Equity Reappointment

Beaufort County

Term Commencing: June 6, 2015

Term Expiring: June 6, 2021

The Honorable Marvin H. Dukes III

791 Ribaut Road

Beaufort, South Carolina 29902

My very best,

Nikki R. Haley

Governor

**CONFIRMATION OF APPOINTMENT**

The yeas and nays were taken resulting as follows:

Yeas 10; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bowers | Bradley | Duckworth |
| Erickson | Hardee | Long |
| Newton | Putnam | Ryhal |
| Willis |  |  |

**Total--10**

Those who voted in the negative are:

**Total--0**

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

**REGULATION RECEIVED**

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

Document No. 4552

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 1-23-10(4) and 44-1-140

Horse Meat and Kangaroo Meat; Fairs, Camp Meetings, and Other Gatherings; Camps; Mobile/Manufactured Home Park; Sanitation of Schools; and Nuisances

Received by Speaker of the House of Representatives

April 8, 2015

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration March 14, 2016

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4464

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Section 44-7-260

Standards for Licensing Facilities that Treat Individuals for Psychoactive Substance Abuse or Dependence

Received by Speaker of the House of Representatives January 13, 2015

Referred to Medical, Military, Public and Municipal Affairs Committee

Legislative Review Expiration May 13, 2015

Revised: May 15, 2015

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4527

Agency: Department of Consumer Affairs

Statutory Authority: 1976 Code Sections 37-7-101 et seq., Particularly Sections 37-7-112 and 37-7-121

Consumer Credit Counseling Requirements

Received by Speaker of the House of Representatives February 4, 2015

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration June 4, 2015

Revised: January 12, 2016

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4529

Agency: State Board of Education

Statutory Authority: 1976 Code Sections 59-5-60, 59-18-310,   
59-18-320, 59-18-330, 59-18-350, 59-18-360, 59-18-900, 59-20-60, and 20 U.S.C. 6301 et seq.

Assessment Program

Received by Speaker of the House of Representatives February 2, 2015

Referred to Education and Public Works Committee

Legislative Review Expiration June 2, 2015

Revised: June 4, 2015

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4531

Agency: State Board of Education

Statutory Authority: 1976 Code Sections 59-1-445, 59-1-447, and   
59-5-60

Test Security

Received by Speaker of the House of Representatives February 2, 2015

Referred to Education and Public Works Committee

Legislative Review Expiration June 2, 2015

Revised: June 4, 2015

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., March 31, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that is has adopted the report of the Committee of Conference on S. 196:

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 IN 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 FOR A FINE FOR THE FAILURE TO POST THE INFORMATION AS REQUIRED; 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; AND TO AMEND SECTION 8-30-10, RELATING TO RECORDING AND REPORTING ALLEGATIONS OF FEDERAL IMMIGRATION LAW VIOLATIONS, SECTION 16-1-60, AS AMENDED, RELATING TO CRIMES DEFINED AS VIOLENT, SECTION 17-25-45, AS AMENDED, RELATING TO CRIMES DEFINED AS MOST SERIOUS AND SERIOUS FOR PURPOSES OF TWO STRIKES AND THREE STRIKES PROVISIONS, SECTIONS 23-3-430, 23-3-490, AND 23-3-540, ALL AS AMENDED, RELATING TO THE SEX OFFENDER REGISTRY, AND SECTION 44-53-370, AS AMENDED, RELATING TO THE ILLEGAL POSSESSION, MANUFACTURE, AND DISTRIBUTION OF CERTAIN CONTROLLED SUBSTANCES, ALL SO AS TO CORRECT CODE SECTION REFERENCES TO TRAFFICKING IN PERSONS OFFENSES TO REFLECT THE CODE SECTION OF 16-3-2020.

Very respectfully,

President

Received as information.

**S. 196--ORDERED ENROLLED FOR RATIFICATION**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., March 31, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 382:

S. 382 -- Senators Matthews, Hutto, Williams, Courson, Hayes, Nicholson, Malloy, Pinckney, Setzler and Jackson: A JOINT RESOLUTION TO AUTHORIZE THE AGENCY HEAD OF SOUTH CAROLINA STATE UNIVERSITY TO INSTITUTE A MANDATORY FURLOUGH PROGRAM OF UP TO TWENTY DAYS IN FISCAL YEARS 2014-2015 AND 2015-2016, AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE FURLOUGH PROGRAM.

and has ordered the Joint Resolution enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

Columbia, S.C., April 1, 2015

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 2:30 p.m., for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. COLE the invitation was accepted.

**RATIFICATION OF ACTS**

At 2:30 p.m., on April 1, 2015, the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 16, S. 196) -- Senators Hutto, L. Martin, Bryant, Campsen, S. Martin and Lourie: AN ACT 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 IN 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 FOR A FINE FOR THE FAILURE TO POST THE INFORMATION AS REQUIRED; 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; AND TO AMEND SECTION 8‑30‑10, RELATING TO RECORDING AND REPORTING ALLEGATIONS OF FEDERAL IMMIGRATION LAW VIOLATIONS, SECTION 16‑1‑60, AS AMENDED, RELATING TO CRIMES DEFINED AS VIOLENT, SECTION 17‑25‑45, AS AMENDED, RELATING TO CRIMES DEFINED AS MOST SERIOUS AND SERIOUS FOR PURPOSES OF TWO STRIKES AND THREE STRIKES PROVISIONS, SECTIONS 23‑3‑430, 23‑3‑490, AND 23‑3‑540, ALL AS AMENDED, RELATING TO THE SEX OFFENDER REGISTRY, AND SECTION 44‑53‑370, AS AMENDED, RELATING TO THE ILLEGAL POSSESSION, MANUFACTURE, AND DISTRIBUTION OF CERTAIN CONTROLLED SUBSTANCES, ALL SO AS TO CORRECT CODE SECTION REFERENCES TO TRAFFICKING IN PERSONS OFFENSES TO REFLECT THE CODE SECTION OF 16‑3‑2020.

(R. 17, S. 382) -- Senators Matthews, Hutto, Williams, Courson, Hayes, Nicholson, Malloy, Pinckney, Setzler and Jackson: A JOINT RESOLUTION TO AUTHORIZE THE AGENCY HEAD OF SOUTH CAROLINA STATE UNIVERSITY TO INSTITUTE A MANDATORY FURLOUGH PROGRAM OF UP TO TWENTY DAYS IN FISCAL YEARS 2014‑2015 AND 2015‑2016, AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE FURLOUGH PROGRAM.

(R. 18, H. 3035) -- Reps. Cobb‑Hunter, Long, Burns, Chumley, Kirby, Hixon, Toole, Corley, Gagnon, Duckworth, Hardee, Johnson, Clemmons, Douglas, Ballentine, Tallon, Hodges, Henegan, Hiott, V. S. Moss, Dillard, Knight, Jefferson, Gilliard, Erickson and Riley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 48 SO AS TO ENACT THE “TAKE PALMETTO PRIDE WHERE YOU LIVE ACT”, TO CREATE THE TAKE PALMETTO PRIDE WHERE YOU LIVE ACT COMMISSION UNDER THE AUSPICES OF, AND STAFFED BY, THE DEPARTMENT OF NATURAL RESOURCES AND TO PROVIDE FOR ITS MEMBERS, POWERS, AND DUTIES; TO PROVIDE THAT THE COMMISSION SHALL DEVELOP A STRATEGIC STATE PLAN FOR LITTER REMOVAL, REDUCTION AND PREVENTION, AND LITTER LAW ENFORCEMENT THROUGH THE COORDINATION AND COOPERATION OF STATE AGENCIES, LOCAL GOVERNMENTS, PRIVATE PROFIT AND NONPROFIT ORGANIZATIONS, BUSINESS, AND INDUSTRY TO PROVIDE FOR THE COMPONENTS OF THE PLAN; TO AMEND SECTION 24‑23‑115, RELATING TO PUBLIC SERVICE WORK AS A CONDITION OF PROBATION OR SUSPENSION OF A SENTENCE, SO AS TO DEFINE “PUBLIC SERVICE WORK” AS PARTICIPATING IN A LITTER REMOVAL PROGRAM OR ANOTHER LITTER PROGRAM UNDER THE COMMISSION UNLESS THE COURT FINDS THAT PARTICIPATION IN SUCH A PROGRAM IS NOT APPROPRIATE FOR THE OFFENDER; AND TO REPEAL CHAPTER 67, TITLE 44 RELATING TO THE “LITTER CONTROL ACT OF 1978” UNDER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

(R. 19, H. 3345) -- Reps. Lucas and Delleney: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 13 AND 15 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2015.

**REPORTS OF STANDING COMMITTEES**

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

S. 536 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 57 IN HORRY COUNTY, FROM ITS INTERSECTION WITH GORE ROAD TO ITS INTERSECTION WITH BRIGHT ROAD "STALVEY BELLAMY 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. 535 -- Senators Hembree and Rankin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 410, KNOWN AS GREEN SEA ROAD SOUTH, IN HORRY COUNTY, FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 917 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 701 "DENNIS E. PHIPPS 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. 3905 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LITTLE PEE DEE RIVER ALONG SOUTH CAROLINA HIGHWAY 57 IN DILLON COUNTY "MCINNIS BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

H. 3896 -- Reps. Jefferson, Daning, Crosby, Merrill, Southard and Rivers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 311 IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 176 TO MUDVILLE ROAD "CALDWELL PINCKNEY, SR. 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. 3897 -- Reps. Jefferson, Daning, Crosby and Rivers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 45 IN BERKELEY COUNTY FROM GETHERS FUNERAL HOME TO GREEN HILL ROAD "WILLIE G. GAMBLE 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. 3913 -- Reps. Henegan and Hayes: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES DEPARTMENT OF COMMERCE TO URGE IT TO STUDY UNFAIR TRADE PRACTICES INVOLVING CERTAIN TYPES OF PAPER BEING SOLD AT LESS THAN FAIR MARKET VALUE IN UNITED STATES MARKETS BY SOME FOREIGN PRODUCERS, TO ESTIMATE THE IMPACT OF THESE UNFAIR TRADE PRACTICES ON DOMESTIC PRODUCERS, AND TO IMPOSE DUTIES ON PAPER PRODUCTS THAT ARE UNFAIRLY PRICED.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3579 -- Reps. Simrill, White, Lucas, Allison, Henderson, Limehouse, Newton, Ott, Clary, Collins, Delleney, Forrester, Gambrell, Hardwick, Hiott, Horne, Merrill, D. C. Moss, V. S. Moss, Murphy, Pitts, Sandifer, G. M. Smith, Sottile, Spires, Wells, Whitmire, Yow, Jefferson, Erickson, Funderburk, Hosey, Hixon, Clyburn, Knight, Herbkersman, H. A. Crawford, Felder, Willis, McCoy, Bradley, Douglas, Norrell, Long, Bales, Daning, Loftis, Tallon, Anthony, Howard, Gagnon, Riley, Williams, Hayes, G. A. Brown, R. L. Brown, Hart, Weeks, Whipper, Pope, Tinkler, Hicks, Brannon, Corley, Clemmons, Johnson, George, Alexander and Duckworth: A BILL TO AMEND SECTIONS 57-1-310, 57-1-320, 57-1-325, AND 57-1-330, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT ALL THE COMMISSIONERS MUST BE APPOINTED BY THE GOVERNOR AND SERVE AT THE PLEASURE OF THE GOVERNOR, TO PROVIDE THAT APPOINTEES MUST BE SCREENED BY THE JOINT TRANSPORTATION REVIEW COMMITTEE, AND TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER FOR MORE THAN TWELVE YEARS AND NO COUNTY MAY HAVE A RESIDENT COMMISSIONER FOR MORE THAN TWELVE CONSECUTIVE YEARS; TO AMEND SECTION 57-1-410, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, INSTEAD OF THE GOVERNOR, SHALL APPOINT THE SECRETARY; TO AMEND SECTIONS 57-1-730 AND 57-1-740, AS AMENDED, RELATING RESPECTIVELY TO THE DUTIES OF THE JOINT TRANSPORTATION REVIEW COMMITTEE, BOTH SO AS TO REQUIRE THE COMMITTEE TO SCREEN APPOINTEES TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION IN A SIMILAR MANNER AS CURRENTLY ELECTED COMMISSIONERS ARE SCREENED; BY ADDING SECTION 57-1-95 SO AS TO PROHIBIT THE COMMENCEMENT OF ANY NEW ROAD CONSTRUCTION PROJECTS IN THIS STATE UNTIL JULY 1, 2020; TO AMEND SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO INCREASE THE BOARD TO THIRTEEN MEMBERS AND TO SET FORTH THE MEMBERSHIP, AND TO PROVIDE THAT NO MEMBER MAY SERVE MORE THAN TWELVE YEARS; TO AMEND SECTION 11-43-180, RELATING TO FINANCIAL ASSISTANCE GIVEN BY THE INFRASTRUCTURE BANK, SO AS TO PROHIBIT THE BANK FROM PROVIDING ANY LOANS OR OTHER FINANCIAL ASSISTANCE TO ANY PROJECT UNLESS THE ELIGIBLE COSTS OF THE PROJECT ARE AT LEAST TWENTY FIVE MILLION DOLLARS; BY ADDING SECTION 11-43-265 SO AS TO REQUIRE THE INFRASTRUCTURE BANK TO PRIORITIZE ALL PROJECTS IN ACCORDANCE WITH THE PRIORITIZATION CRITERIA ESTABLISHED IN ACT 114 OF 2007, AND TO PROVIDE AN EXCEPTION; BY ADDING SECTION 57-1-100 SO AS TO SET FORTH THE OPTIONAL PROCESS BY WHICH THE DEPARTMENT OF TRANSPORTATION TRANSFERS CERTAIN STATE ROADS TO THE COUNTIES OF THIS STATE, TO INCREASE THE AMOUNT DISTRIBUTED TO THE PARTICIPATING COUNTIES OVER TIME, TO PROVIDE THAT EACH PARTICIPATING COUNTY MUST RECEIVE ONE MILLION DOLLARS BEFORE THE FUNDS ARE DISTRIBUTED BASED ON A FORMULA, TO AMEND SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF THE GASOLINE USER FEE TO THE COUNTIES OF THIS STATE, TO ABOLISH THE CURRENT COUNTY TRANSPORTATION COMMITTEES AND THEN RECONSTITUTE THEM WITH THE ADDITION OF MUNICIPAL REPRESENTATION, AND TO SPECIFY THE MANNER IN WHICH "C" FUNDS MUST BE EXPENDED; TO AMEND SECTION 12-28-310, RELATING TO THE USER FEE ON GASOLINE, SO AS TO REDUCE THE FEE TO TEN CENTS A GALLON; TO AMEND SECTION 56-11-410, RELATING TO THE ROAD TAX, SO AS TO REDUCE THE TAX TO TEN CENTS A GALLON; TO AMEND SECTION 56-11-450, RELATING TO THE CREDIT AGAINST ROAD TAX, SO AS TO REDUCE THE CREDIT TO TEN CENTS A GALLON; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM TAX, SO AS TO INCREASE THE MAXIMUM TAX FROM THREE HUNDRED TO FIVE HUNDRED DOLLARS ON THE SALE OR LEASE OF A MOTOR VEHICLE; TO AMEND SECTION 12-36-2647, RELATING TO THE TAX REVENUES COLLECTED FROM THE SALE OR LEASE OF A MOTOR VEHICLE, SO AS TO CREDIT ALL THE REVENUES TO THE STATE HIGHWAY FUND EXCEPT FOR CERTAIN AMOUNTS THAT ARE USED FOR THE EDUCATION IMPROVEMENT ACT; BY ADDING ARTICLE 4 TO CHAPTER 28, TITLE 12 SO AS TO IMPOSE AN EXCISE TAX ON THE WHOLESALE PRICE OF MOTOR FUEL EQUAL TO THE CUMULATIVE STATE SALES TAX RATE, TO PROVIDE THAT THE REVENUE MUST BE CREDITED TO THE STATE HIGHWAY FUND, TO PROVIDE THAT THE EXCISE TAX MAY NOT EXCEED THE EQUIVALENT OF SIXTEEN CENTS A GALLON, AND TO PROVIDE THE MANNER IN WHICH THE EXCISE TAX IS CALCULATED AND ADMINISTERED; AND BY ADDING ARTICLE 9 TO CHAPTER 11, TITLE 57 SO AS TO IMPOSE AN EXCISE TAX ON MOTOR CARRIERS IN THE SAME MANNER AS THE EXCISE TAX ON MOTOR FUEL.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report on:

H. 3878 -- Reps. White, Pope, Clemmons, Duckworth, Goldfinch, Hardwick, Johnson, H. A. Crawford, George, Yow, Ryhal, Hardee, Hayes and Kirby: A BILL TO AMEND SECTION 12-6-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12-6-520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3932 -- Reps. Bedingfield, Allison, Bannister, Burns, Chumley, Dillard, Hamilton, Henderson, Loftis, Nanney, Putnam, Robinson-Simpson, G. R. Smith, Stringer, Willis, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Hart, Hayes, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Quinn, Ridgeway, Riley, Rivers, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE MAULDIN HIGH SCHOOL PARENT TEACHER ASSOCIATION (PTA) FOR ITS SUPERIOR COMMITMENT TO THE EDUCATION AND GROWTH OF SOUTH CAROLINA'S STUDENTS AND FOR BEING NAMED 2015 SOUTH CAROLINA PTA OUTSTANDING HIGH SCHOOL UNIT OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3933 -- Reps. Bedingfield, Allison, Bannister, Burns, Chumley, Dillard, Hamilton, Henderson, Loftis, Nanney, Putnam, Robinson-Simpson, G. R. Smith, Stringer, Willis, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Hart, Hayes, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Quinn, Ridgeway, Riley, Rivers, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO CONGRATULATE SCOTT RHYMER, PRINCIPAL OF MAULDIN HIGH SCHOOL, UPON BEING NAMED THE 2015 SOUTH CAROLINA PARENT TEACHER ASSOCIATION PRINCIPAL OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3934 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bingham, 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 AND HONOR THE CARDINAL NEWMAN WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014-2015 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3935 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, 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 AND HONOR THE MEMBERS OF THE CLASS OF 1962 FROM BISHOPVILLE'S ASHWOOD-CENTRAL HIGH SCHOOL AND TO CELEBRATE THEIR REUNION IN COLUMBIA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3936 -- Reps. Forrester, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, 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 AND COMMEND THE HONORABLE BARTLETT C. WINKLER UPON THE OCCASION OF HIS RETIREMENT FROM THE SPARTANBURG COUNTY COMMISSION FOR TECHNICAL AND COMMUNITY EDUCATION, TO THANK HIM FOR HIS SIX YEARS OF OUTSTANDING SERVICE AS A COMMISSIONER, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3937 -- Rep. Bernstein: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CARDINAL NEWMAN HIGH SCHOOL WRESTLING TEAM OF RICHLAND COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2014-2015 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Cardinal Newman High School wrestling team of Richland County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2014‑2015 South Carolina Independent School Association State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3938 -- Rep. Spires: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR COACH BEN FREEMAN OF PELION HIGH SCHOOL FOR HIS OUTSTANDING CAREER AS BOTH COACH AND EDUCATOR, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3939 -- Rep. Rutherford: A HOUSE RESOLUTION TO CONGRATULATE DR. DAVID SWINTON, PRESIDENT OF BENEDICT COLLEGE, ON THE OCCASION OF HIS TWENTIETH ANNIVERSARY AT THE HELM OF BENEDICT AND TO THANK HIM FOR HIS TWO DECADES OF DEDICATED SERVICE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3940 -- Reps. Bowers, Bradley, Erickson, Herbkersman, Hodges and Newton: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SIGNIFICANT SERVICE OF PALMETTO ELECTRIC COOPERATIVE AND TO CELEBRATE ITS SEVENTY-FIFTH ANNIVERSARY OF PROVIDING ELECTRICITY IN THE PALMETTO STATE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3941 -- Rep. Allison: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO MISS SOUTH CAROLINA 2014 LANIE HUDSON, ALONG WITH THE CONTESTANTS OF THE MISS SOUTH CAROLINA 2014 PAGEANT, AND MISS SOUTH CAROLINA TEEN 2014 HOPE HARVARD, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THEIR RESPECTIVE TITLES.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to Miss South Carolina 2014 Lanie Hudson, along with the contestants of the Miss South Carolina 2014 Pageant, and Miss South Carolina Teen 2014 Hope Harvard, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing their respective titles.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3942 -- Rep. Putnam: A HOUSE RESOLUTION TO AMEND RULE 6.3 OF THE RULES OF THE HOUSE OF REPRESENTATIVES, RELATING TO THE ORDER OF BUSINESS OF THE HOUSE OF REPRESENTATIVES, SO AS TO ADD THE STATE PLEDGE TO THE FLAG OF THE STATE OF SOUTH CAROLINA TO THE DAILY ORDER OF BUSINESS.

The Resolution was ordered referred to the Committee on Rules.

**HOUSE RESOLUTION**

The following was introduced:

H. 3943 -- Rep. Kennedy: A HOUSE RESOLUTION TO CELEBRATE THE TWENTY-NINTH ANNIVERSARY OF THE SOUTH CAROLINA POULTRY FESTIVAL TO BE HELD IN BATESBURG-LEESVILLE ON MAY 7-9, 2015, AND TO HONOR THOSE PLANNING AND PARTICIPATING IN THE FESTIVAL.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3944 -- Rep. W. J. McLeod: A HOUSE RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA SILVER HAIRED LEGISLATURE TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES FOR ITS SEVENTEENTH ANNUAL LEGISLATIVE SESSION ON TUESDAY THROUGH THURSDAY, SEPTEMBER 15 THROUGH SEPTEMBER 17, 2015, PROVIDED THE HOUSE IS NOT IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE, AND TO PROVIDE FOR THE USE OF THE HOUSE CHAMBER ON ALTERNATE DATES AND TIMES AS MAY BE SELECTED BY THE SPEAKER.

Be it resolved by the House of Representatives:

That the South Carolina Silver Haired Legislature is authorized to use the chamber of the South Carolina House of Representatives on Tuesday through Thursday, September 15 through September 17, 2015, provided the House of Representatives is not in session on any of those dates. If the House of Representatives is in statewide session or the chamber is otherwise unavailable, the House chamber may not be used on those dates but may be used by the South Carolina Silver Haired Legislature on alternate dates and times as may be selected by the Speaker.

Be it further resolved that the use of the chamber of the South Carolina House of Representatives by the South Carolina Silver Haired Legislature must be in accordance with the policies and Rules of the South Carolina House of Representatives.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3945 -- Rep. Lucas: A HOUSE RESOLUTION TO AUTHORIZE REPRESENTATIVES OF THE CITY OF COLUMBIA AND THE GREEK ORTHODOX CHURCH TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 26, 2015, PROVIDED THAT THE HOUSE IS NOT IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE, AND TO PROVIDE FOR THE USE OF THE HOUSE CHAMBER ON ALTERNATE DATES AND TIMES AS MAY BE SELECTED BY THE SPEAKER.

Be it resolved by the House of Representatives:

That representatives of the City of Columbia and the Greek Orthodox Church are authorized to use the chamber of the South Carolina House of Representatives on Friday, June 26, 2015, for the purpose of a presentation commemorating the consecration of the Holy Trinity Greek Orthodox Church in Columbia as a cathedral, in conjunction with the regional clergy‑laity conference of the Greek Orthodox Church recognizing the contributions of the church and its members to South Carolina and the greater Columbia community, provided that the House of Representatives is not in session on that date. If the House of Representatives is in statewide session or the chamber is otherwise unavailable, the House chamber may not be used on that date but may be used by representatives of the City of Columbia and the Greek Orthodox Church on alternate dates and times as may be selected by the Speaker.

Be it further resolved that the use of the chamber of the South Carolina House of Representatives by representatives of the City of Columbia and the Greek Orthodox Church must be in accordance with the policies and Rules of the South Carolina House of Representatives.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3946 -- Reps. Yow, Henegan, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, 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 and Willis: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE JESUS IS LORD CHRISTIAN SCHOOL GIRLS VARSITY VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014-2015 SOUTH CAROLINA ASSOCIATION OF CHRISTIAN SCHOOLS CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3947 -- Reps. Yow and Henegan: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE JESUS IS LORD CHRISTIAN SCHOOL GIRLS VARSITY VOLLEYBALL TEAM OF CHESTERFIELD COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2014-2015 SOUTH CAROLINA ASSOCIATION OF CHRISTIAN SCHOOLS CLASS A STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Jesus Is Lord Christian School girls varsity volleyball team of Chesterfield County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the   
2014-2015 South Carolina Association of Christian Schools Class A State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3953 -- Reps. Bannister, Allison, Bedingfield, Burns, Chumley, Dillard, Hamilton, Henderson, Loftis, Nanney, Putnam, Robinson-Simpson, G. R. Smith, Stringer, Willis, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Hart, Hayes, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Quinn, Ridgeway, Riley, Rivers, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE CHRIST CHURCH EPISCOPAL SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014 CLASS A DIVISION I STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3954 -- Reps. Bannister, Allison, Bedingfield, Burns, Chumley, Dillard, Hamilton, Henderson, Loftis, Nanney, Putnam, Robinson-Simpson, G. R. Smith, Stringer, Willis, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Hart, Hayes, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Quinn, Ridgeway, Riley, Rivers, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE CHRIST CHURCH EPISCOPAL SCHOOL BOYS SWIM TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3955 -- Reps. Bannister, Allison, Bedingfield, Burns, Chumley, Dillard, Hamilton, Henderson, Loftis, Nanney, Putnam, Robinson-Simpson, G. R. Smith, Stringer, Willis, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Hart, Hayes, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Quinn, Ridgeway, Riley, Rivers, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CHRIST CHURCH EPISCOPAL SCHOOL CHAMPIONSHIP TEAMS OF GREENVILLE COUNTY WITH THE TEAMS' COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THEIR RESPECTIVE 2014-2015 SOUTH CAROLINA STATE CHAMPIONSHIP TITLES.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Christ Church Episcopal School championship teams of Greenville County with the teams’ coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing their respective 2014‑2015 South Carolina State Championship titles.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3956 -- Reps. Bannister, Allison, Bedingfield, Burns, Chumley, Dillard, Hamilton, Henderson, Loftis, Nanney, Putnam, Robinson-Simpson, G. R. Smith, Stringer, Willis, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hardwick, Hart, Hayes, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Quinn, Ridgeway, Riley, Rivers, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE CHRIST CHURCH EPISCOPAL SCHOOL GIRLS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM UPON WINNING THE 2015 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 554 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 12, 2015.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

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

H. 3948 -- Reps. Loftis, Burns, Brannon, V. S. Moss, Hosey, Jefferson, Mitchell, Yow, Bales, Hardwick, Hicks, Long, Pitts and Simrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMMERCIAL MOTOR VEHICLE EQUITY AND INFRASTRUCTURE IMPROVEMENT ACT"; TO AMEND ARTICLE 23, CHAPTER 37, TITLE 12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES, TO PROVIDE THAT THE ROAD USE FEE IS DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE FOR THE DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT CERTAIN SEMITRAILERS, TRAILERS, LARGE COMMERCIAL MOTOR VEHICLES, AND BUSES FROM AD VALOREM TAXATION; TO AMEND SECTION 56-3-376, RELATING TO THE REGISTRATION OF MOTOR VEHICLES, SO AS TO PROVIDE A REGISTRATION SYSTEM FOR LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 56-3-120, RELATING TO EXEMPTIONS FROM THE REGISTRATION PROCESS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-610, RELATING TO THE PAYMENT OF REGISTRATION FEES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-660, RELATING TO REGISTRATION FEES, SO AS TO PROVIDE THAT FEES FOR LICENSING AND REGISTRATION AND THE ROAD USE FEE MAY BE CREDITED OR PRORATED IF THE FEE EXCEEDS FOUR HUNDRED DOLLARS INSTEAD OF EIGHT HUNDRED DOLLARS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 58-23-620, AS AMENDED, RELATING TO THE IMPOSITION OF LOCAL FEES, SO AS TO APPORTION CERTAIN LICENSE FEES AND TAXES; TO AMEND SECTION 12-37-2610, RELATING TO THE TAX YEAR FOR MOTOR VEHICLES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-37-2650, RELATING TO THE ISSUANCE OF TAX NOTICES, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 56-5-4160, AS AMENDED, RELATING TO VEHICLE WEIGHTS AND LOADS, SO AS TO ALLOW FOR AN ADDITIONAL TWO THOUSAND POUNDS OF WEIGHT FOR CERTAIN VEHICLES FUELED BY NATURAL GAS.

Referred to Committee on Ways and Means

H. 3949 -- Rep. J. E. Smith: A BILL TO AMEND SECTIONS 1-13-20, 1-13-30, 1-13-70, 1-13-80, AND 1-13-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO PROHIBITING DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, RELIGION, COLOR, SEX, AGE, NATIONAL ORIGIN, OR DISABILITY, ALL SO AS TO ALSO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY".

Referred to Committee on Judiciary

H. 3950 -- Rep. Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "UNIFORM ANTIDISCRIMINATION ACT"; TO AMEND SECTION 1-13-20, RELATING TO POLICY OF THE STATE HUMAN AFFAIRS COMMISSION, SO AS TO EXPAND THE DEFINITION OF DISCRIMINATION TO INCLUDE DISCRIMINATION BASED ON SEXUAL ORIENTATION; TO AMEND SECTION 1-13-80, AS AMENDED, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES, SO AS TO ESTABLISH THAT IT IS UNLAWFUL FOR AN EMPLOYER TO DISCRIMINATE AGAINST AN INDIVIDUAL BECAUSE OF THE INDIVIDUAL'S SEXUAL ORIENTATION; TO AMEND SECTION 1-32-60, RELATING TO THE APPLICABILITY AND CONSTRUCTION OF THE RELIGIOUS FREEDOM ACT, SO AS TO ESTABLISH THAT THE RELIGIOUS FREEDOM ACT DOES NOT ALLOW A PERSON TO DISCRIMINATE AGAINST AN INDIVIDUAL BASED ON THE INDIVIDUAL'S RACE, RELIGION, COLOR, SEX, SEXUAL ORIENTATION, AGE, NATIONAL ORIGIN OR DISABILITY; TO AMEND SECTION 31-21-40, RELATING TO FAIR HOUSING, SO AS TO MAKE IT UNLAWFUL FOR A PERSON TO DISCRIMINATE AGAINST AN INDIVIDUAL BASED ON THEIR SEXUAL ORIENTATION WHEN SELLING OR RENTING PROPERTY; TO AMEND SECTION 31-21-50, RELATING TO FAIR HOUSING, SO AS TO PROHIBIT THE DENIAL OF ACCESS TO, OR MEMBERSHIP OR PARTICIPATION IN, A MULTIPLE-LISTING SERVICE OR SIMILAR SERVICE OR ORGANIZATION BASED ON THE PERSON'S SEXUAL ORIENTATION; TO AMEND SECTION 31-21-60, RELATING TO FAIR HOUSING, SO AS TO PROHIBIT DISCRIMINATION IN RELATION TO RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS BASED ON A PERSON'S SEXUAL ORIENTATION; TO AMEND SECTION 44-69-80, RELATING TO HOME HEALTH AGENCIES, SO AS TO PROHIBIT A HOME HEALTH AGENCY FROM DISCRIMINATING AGAINST A PATIENT OR POTENTIAL PATIENT ON THE BASIS OF SEXUAL ORIENTATION; TO AMEND SECTION 44-71-90, RELATING TO HOSPICE PROGRAMS, SO AS TO PROHIBIT A HOSPICE PROGRAM FROM DISCRIMINATING AGAINST A POTENTIAL PATIENT ON THE BASIS OF SEXUAL ORIENTATION; AND TO AMEND SECTION 45-9-10, RELATING TO HOTELS, MOTELS, RESTAURANTS, AND BOARDINGHOUSES, SO AS TO PROHIBIT THE DISCRIMINATION AGAINST A PERSON OR SEGREGATION FROM A PLACE OF PUBLIC ACCOMMODATION ON THE BASIS OF SEX OR SEXUAL ORIENTATION.

Referred to Committee on Judiciary

H. 3951 -- Reps. Putnam, Simrill, Hill, Loftis, Sandifer, Burns, Goldfinch, Clemmons, Rivers, Hamilton, Allison, Felder, Huggins, Limehouse, Clary, Forrester, Gagnon, Henderson, Norman, G. R. Smith, Spires, Stringer, Thayer, Toole and Wells: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PROHIBITION AGAINST EMPLOYER INTIMIDATION ACT" BY ADDING ARTICLE 3 TO CHAPTER 7, TITLE 41 SO AS TO PROVIDE THAT A PERSON, ORGANIZATION, CORPORATION, UNION, OR AGENCY MAY NOT DAMAGE, HARM, INJURE, OR THREATEN TO INJURE OR COERCE A BUSINESS, OR AN EMPLOYEE OR REPRESENTATIVE OF THE BUSINESS, WITH THE INTENT TO UNLAWFULLY INTIMIDATE THE BUSINESS OR ITS EMPLOYEES; TO PROVIDE THAT A PERSON, ORGANIZATION, CORPORATION, UNION, OR AGENCY MAY NOT CONSPIRE WITH ANOTHER TO DISRUPT LAWFUL COMMERCE IN PLACES OF BUSINESS; TO PROVIDE THAT A PERSON, ORGANIZATION, CORPORATION, UNION, OR AGENCY MAY NOT INTENTIONALLY OR RECKLESSLY DAMAGE BUSINESS PROPERTY OF ANOTHER; TO PROVIDE THAT THE PROVISIONS OF THE ARTICLE MAY NOT BE CONSTRUED TO INFRINGE AND IMPEDE UPON FIRST AMENDMENT RIGHTS UNDER THE UNITED STATES CONSTITUTION; TO PROVIDE FOR DAMAGES FOR CERTAIN VIOLATIONS; AND TO DESIGNATE EXISTING SECTIONS IN CHAPTER 7, TITLE 41 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

Referred to Committee on Judiciary

H. 3952 -- Rep. Bannister: A BILL TO AMEND SECTION 44-17-410, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMERGENCY ADMISSION OF A PERSON LIKELY TO CAUSE SERIOUS HARM TO HIMSELF OR OTHERS, SO AS TO ADD A PERSON WHO MAY BECOME GRAVELY DISABLED IF NOT IMMEDIATELY HOSPITALIZED; TO AMEND SECTION 44-17-430, AS AMENDED, RELATING TO THE EXAMINATION UNDER CUSTODY OF A PERSON REQUIRING IMMEDIATE HOSPITALIZATION WHEN EXAMINATION IS NOT OTHERWISE POSSIBLE, SO AS TO ADD A PERSON WHO MAY BECOME GRAVELY DISABLED IF NOT IMMEDIATELY HOSPITALIZED; AND TO AMEND SECTION 44-17-440, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON REQUIRING IMMEDIATE CARE, SO AS TO REQUIRE A STATE OR LOCAL LAW ENFORCEMENT OFFICER WITH CRISIS INTERVENTION TRAINING AND DRESSED IN CIVILIAN CLOTHES OR AN EMERGENCY MEDICAL TECHNICIAN TO TAKE INTO CUSTODY AND TRANSPORT THE PERSON TO THE HOSPITAL.

Referred to Committee on Judiciary

S. 183 -- Senators Hayes and Bryant: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 16-3-2010, RELATING TO HUMAN TRAFFICKING DEFINITIONS, SO AS TO DEFINE "COERCION"; BY AMENDING SECTION 16-3-2020, RELATING TO HUMAN TRAFFICKING OFFENSES, SO AS TO PROVIDE THAT A PERSON IS CONSIDERED A TRAFFICKER IF THE PERSON SOLICITS OR PARTICIPATES IN PROSTITUTION WITH ANOTHER PERSON KNOWING THAT THE OTHER PERSON IS A HUMAN TRAFFICKING VICTIM, TO PROVIDE THAT A VICTIM CONVICTED OF A HUMAN TRAFFICKING VIOLATION OR PROSTITUTION MAY MOTION THE COURT TO VACATE THE CONVICTION, AND TO PROVIDE THAT A VICTIM IS NOT SUBJECT TO PROSECUTION FOR HUMAN TRAFFICKING OR PROSTITUTION IF THE VICTIM WAS A MINOR AT THE TIME OF THE OFFENSE, AND TO PROVIDE THAT A VICTIM'S SEXUAL HISTORY IS NOT ADMISSIBLE BY A DEFENDANT IN A CRIMINAL ACTION; BY AMENDING SECTION 16-3-2030, RELATING TO BUSINESSES AND HUMAN TRAFFICKING, SO AS TO PROVIDE THAT A COURT MAY CONSIDER DISGORGEMENT OF PROFIT FROM A BUSINESS INVOLVED IN HUMAN TRAFFICKING AND DISBARMENT FROM GOVERNMENT CONTRACTS; BY AMENDING SECTION 16-3-2040, RELATING TO HUMAN TRAFFICKING RESTITUTION, SO AS TO PROVIDE THAT THE COURT MAY ORDER AN AMOUNT REPRESENTING THE VALUE OF THE VICTIM'S LABOR OR SERVICES; BY AMENDING SECTION 16-3-2050, RELATING TO THE HUMAN TRAFFICKING TASK FORCE, SO AS TO PROVIDE THAT THE TASK FORCE MAY MAKE GRANTS OR CONTRACTS TO DEVELOP OR EXPAND VICTIM SERVICE PROGRAMS; BY AMENDING SECTION 16-3-2060, RELATING TO HUMAN TRAFFICKING CIVIL ACTIONS, SO AS TO PROVIDE THAT A VICTIM'S SEXUAL HISTORY IS NOT ADMISSIBLE BY A DEFENDANT IN A CIVIL ACTION; BY AMENDING SECTION 16-3-2070, RELATING TO VICTIMS' RIGHTS AND THE STATE CRIME VICTIM'S COMPENSATION FUND, SO AS TO PROVIDE THAT HUMAN TRAFFICKING VICTIMS ARE CONSIDERED VICTIMS REGARDLESS OF IMMIGRATION STATUS, TO PROVIDE THAT THE PICTURES AND IMAGES OF VICTIMS MUST BE KEPT CONFIDENTIAL, AND TO PROVIDE THE PROTOCOL A LAW ENFORCEMENT OFFICER SHALL FOLLOW WHEN INTERACTING WITH A VICTIM; AND BY ADDING SECTION 16-3-2100, SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESSES.

Referred to Committee on Judiciary

S. 237 -- Senators Allen, Corbin and Thurmond: A JOINT RESOLUTION TO CONTINUE THE "STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES" UNTIL DECEMBER 31, 2015.

Referred to Committee on Judiciary

S. 320 -- Senators Malloy, Hutto, Hayes, L. Martin, Shealy, Turner and Alexander: A BILL TO AMEND CHAPTER 32, TITLE 59 OF THE 1976 CODE, RELATING TO THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, BY AMENDING SECTION 59-32-30 TO REQUIRE INSTRUCTION IN CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR TO ALL STUDENTS ENROLLED IN THE SCHOOL DISTRICT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL.

Referred to Committee on Education and Public Works

S. 358 -- Senators Verdin, Campsen and McElveen: A BILL TO AMEND SECTION 56-5-70(A) OF THE 1976 CODE, RELATING TO THE SUSPENSION OF VEHICULAR REQUIREMENTS DURING A DECLARED STATE OF EMERGENCY, TO PROVIDE FOR AN EXTENSION OF THE TIME PERIOD FOR UP TO ONE HUNDRED TWENTY DAYS RELATING TO SUSPENSIONS OF REGISTRATION, PERMITTING, LENGTH, WIDTH, WEIGHT, AND LOAD ON NON-INTERSTATE ROUTES, AND TO MAKE SUSPENSIONS OF TIME OF SERVICE REQUIREMENTS FOR THIRTY DAYS UNLESS EXTENDED BY FEDERAL REGULATION FOR BOTH INTERSTATE AND NON-INTERSTATE ROUTES.

Referred to Committee on Education and Public Works

S. 426 -- Senators Sheheen, Hayes, Malloy and Allen: A BILL TO AMEND TITLE 14 OF THE 1976 CODE, RELATING TO COURTS, BY ADDING CHAPTER 31, TO ESTABLISH A MENTAL HEALTH COURT PROGRAM, TO PROVIDE FOR A SYSTEM THAT DIVERTS MENTALLY ILL OFFENDERS TO APPROPRIATE TREATMENT PROGRAMS RATHER THAN INCARCERATION, TO PROVIDE FOR ELIGIBILITY TO PARTICIPATE IN MENTAL HEALTH COURT, TO PROVIDE THAT EXISTING MENTAL HEALTH COURTS ESTABLISHED PURSUANT TO AN ADMINISTRATIVE ORDER OF THE SUPREME COURT SHALL CONTINUE IN EXISTENCE, TO PROVIDE THAT EACH SOLICITOR MUST ESTABLISH A PROGRAM, TO PROVIDE FOR QUALIFICATIONS FOR SERVICE AS A MENTAL HEALTH COURT JUDGE, TO PROVIDE THAT MENTAL HEALTH COURT JUDGES HAVE THE SAME PROTECTIONS FROM CIVIL LIABILITY AND IMMUNITY AS OTHER JUDICIAL OFFICERS IN THIS STATE; AND TO PROVIDE THAT SOLICITORS WHO ACCEPT STATE FUNDING FOR THE PROGRAM MUST ESTABLISH IT WITHIN ONE HUNDRED EIGHTY DAYS.

Referred to Committee on Judiciary

S. 427 -- Senators Hutto, Rankin, O'Dell and Williams: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOBS TAX CREDIT, SO AS TO ALLOW A TAXPAYER OPERATING AN AGRICULTURAL PACKAGING OPERATION TO CLAIM THE CREDIT, TO ALLOW CERTAIN AGRICULTURAL OPERATIONS TO CLAIM SEASONAL WORKERS AS A CERTAIN FRACTION OF A FULL-TIME JOB, AND TO DEFINE AGRICULTURAL PACKAGING; TO AMEND SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT MACHINES USED IN AGRICULTURAL PACKAGING; AND BY ADDING SECTION 13-1-780 SO AS TO REQUIRE THE DEPARTMENT OF COMMERCE AND THE COORDINATING COUNCIL TO CONSIDER AGRICULTURAL BUSINESSES IN AWARDING ECONOMIC DEVELOPMENT BENEFITS.

Referred to Committee on Ways and Means

S. 437 -- Senators Campsen, Reese, Gregory, Hutto, Cleary, Campbell, Cromer, Young, Bryant, Williams, Bennett, Johnson, Hembree, O'Dell, Davis, Fair, Hayes and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-240 SO AS TO ENACT THE "JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE" TO REQUIRE ALL STUDENTS OF PUBLIC OR CHARTER SCHOOLS OR PERSONS PURSUING A GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE IN THIS STATE TO TAKE THE UNITED STATES CITIZENSHIP CIVICS TEST PRODUCED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, TO DIRECT SCHOOL DISTRICTS TO AWARD A CERTIFICATE OF ACHIEVEMENT TO ALL STUDENTS WHO RECEIVE A GRADE OF 60 OR BETTER ON THE TEST, AND TO DIRECT THE RESPECTIVE SCHOOLS TO REPORT RESULTS TO THE SOUTH CAROLINA EDUCATION OVERSIGHT COMMITTEE FOR INCLUSION IN THE REPORT CARD FOR EACH SCHOOL, AS APPLICABLE.

Referred to Committee on Education and Public Works

S. 444 -- Senators Gregory, Hayes and Campbell: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE JOB TAX CREDIT, SO AS TO ADD CERTAIN ESTABLISHMENTS TO THE DEFINITION OF "QUALIFYING SERVICE-RELATED FACILITY" IF THE ESTABLISHMENT HAS A NET INCREASE OF AT LEAST ONE THOUSAND NEW FULL-TIME JOBS AT A SINGLE CORPORATE CAMPUS IN THIS STATE, WITH AN AVERAGE CASH COMPENSATION LEVEL OF AT LEAST ONE AND ONE-HALF TIMES EITHER THE STATE OR COUNTY PER CAPITA INCOME.

Referred to Committee on Ways and Means

S. 460 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-370 SO AS TO PROVIDE THAT A COUNTY IN THIS STATE MAY ALLOW A TAXPAYER THE OPTION TO RECEIVE CERTAIN PROPERTY TAX BILLS AND RECEIPTS IN ELECTRONIC FORM, TO REQUIRE A PARTICIPATING COUNTY TO MAINTAIN PROOF THAT AN EMAIL WAS SENT TO A TAX PAYER, AND TO REQUIRE A PARTICIPATING COUNTY TO CREATE AN APPLICATION PROCESS AND TO PUBLISH THE APPLICATION PROCESS.

Referred to Committee on Ways and Means

S. 526 -- Senator Leatherman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-4-397 SO AS TO AUTHORIZE THE DEPARTMENT OF REVENUE TO DESIGNATE A THREE-MONTH AMNESTY PERIOD DURING WHICH THE DEPARTMENT SHALL WAIVE DELINQUENT TAX PENALTIES AND INTEREST AND SHALL NOT INITIATE A CRIMINAL INVESTIGATION, TO SPECIFY TAXPAYERS THAT MAY PARTICIPATE IN THE PROGRAM, AND TO SET FORTH THE MANNER IN WHICH THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

Referred to Committee on Ways and Means

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bamberg | Bedingfield | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | Crosby |
| Daning | Delleney | Douglas |
| Duckworth | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Hayes | Henderson |
| Henegan | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Jefferson | Johnson |
| Kennedy | King | Kirby |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| Newton | Norman | Norrell |
| Ott | Pope | Putnam |
| Ridgeway | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Tinkler |
| Toole | Weeks | Wells |
| White | Williams | Willis |
| Yow |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, April 14.

|  |  |
| --- | --- |
| Nathan Ballentine | Bruce W. Bannister |
| Heather Crawford | Chandra Dillard |
| Kirkman Finlay | Mike Gambrell |
| Chris Hart | William G. Herbkersman |
| Jenny A. Horne | Leon Howard |
| Chip Huggins | Patsy Knight |
| H. B. "Chip" Limehouse | Chis Murphy |
| Anne Parks | Richard "Rick" Quinn |
| Shannon Riley | Anne Thayer |
| William R. "Bill" Whitmire |  |

**Total Present--119**

**STATEMENT OF ATTENDANCE**

Rep. RUTHERFORD signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Thursday, March 26.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CLEMMONS a leave of absence for the day due to participation out-of-state in the American Resort Developers Association annual state legislative update.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BALLENTINE a temporary leave of absence due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. H. A. CRAWFORD a temporary leave of absence.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Steven Samoya of Greenville 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-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3784 |
| Date: | ADD: |
| 04/14/15 | KIRBY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3699 |
| Date: | ADD: |
| 04/14/15 | KENNEDY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3433 |
| Date: | ADD: |
| 04/14/15 | W. J. MCLEOD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3435 |
| Date: | ADD: |
| 04/14/15 | R. L. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3353 |
| Date: | ADD: |
| 04/14/15 | R. L. BROWN |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3057 |
| Date: | ADD: |
| 04/14/15 | KING AND MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3058 |
| Date: | ADD: |
| 04/14/15 | KING and MITCHELL |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3396 |
| Date: | REMOVE: |
| 04/14/15 | CLARY |

**H. 3396--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3396 -- Reps. Sandifer, Horne, Bedingfield, Hamilton, Finlay, Merrill, Whitmire, Crosby, Hardwick, Duckworth, Allison, V. S. Moss, Norman, Quinn, Limehouse, Atwater, Willis, Spires, Sottile, Herbkersman, G. R. Smith, Clemmons, Henderson, Loftis, Taylor, Murphy, Tallon, Brannon, Erickson, Toole, Wells, D. C. Moss, Corley, Ryhal and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 42-1-378 SO AS TO PROVIDE THAT AN EMPLOYEE COVERED BY THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, OR ANY OF ITS EXTENSIONS, OR THE MERCHANT MARINE ACT IS EXEMPT FROM WORKERS' COMPENSATION LAWS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3396 (COUNCIL\AGM\3396C001. AGM.AB15), which was tabled:

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

/ SECTION 1. Article 3, Chapter 1, Title 42 of the 1976 Code is amended by adding:

“Section 42‑1‑378. This title does not apply to an employee who suffers an injury on or after July 1, 2016, for which there is jurisdiction under either the Longshore and Harbor Workers’ Compensation Act, 33 U.S.C. Section 901 et seq., and its extensions, or the Merchant Marine Act of 1920, 46 U.S.C. Section 30104 et seq. However, this title must not be construed to eliminate or diminish any right that any person or, in the case of the person’s death, his personal representative, may have under either the Longshore and Harbor Workers’ Compensation Act, 33 U.S.C. Section 901 et seq., and its extensions, or the Merchant Marine Act of 1920, 46 U.S.C. Section 30104 et seq.”

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

Renumber sections to conform.

Amend title to conform.

Rep. GAMBRELL explained the amendment.

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

Reps. ANDERSON, MACK and GAMBRELL proposed the following Amendment No. 2 to H. 3396 (COUNCIL\MS\3396C001. MS.AB15), which was adopted:

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

/ SECTION 1. Article 3, Chapter 1, Title 42 of the 1976 Code is amended by adding:

“Section 42‑1‑378. This title does not apply to an employee who suffers an injury on or after July 1, 2016, for which there is jurisdiction under either the Longshore and Harbor Workers’ Compensation Act, 33 U.S.C. Section 901 et seq., and its extensions, or the Merchant Marine Act of 1920, 46 U.S.C. Section 30104 et seq., unless the employee suffers death where there are no financial dependents or sustains a nonscheduled injury under the Longshore and Harbor Workers’ Compensation Act, or any of its extensions. However, this title must not be construed to eliminate or diminish any right that any person or, in the case of the person’s death, his personal representative, may have under either the Longshore and Harbor Workers’ Compensation Act, 33 U.S.C. Section 901 et seq., and its extensions, or the Merchant Marine Act of 1920, 46 U.S.C. Section 30104 et seq.”

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

Renumber sections to conform.

Amend title to conform.

Rep. ANDERSON 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 84; Nays 24

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bamberg |
| Bannister | Bedingfield | Bingham |
| Bowers | Bradley | Brannon |
| Burns | Chumley | Cole |
| Crosby | Daning | Delleney |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Goldfinch | Hamilton |
| Hardee | Hardwick | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Horne | Howard | Huggins |
| Kennedy | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McKnight |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Ott |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Yow |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Bernstein | R. L. Brown |
| Clary | Cobb-Hunter | Collins |
| Dillard | Gilliard | Govan |
| Hart | Henegan | Hodges |
| Jefferson | Johnson | King |
| Kirby | McCoy | M. S. McLeod |
| Mitchell | Norrell | Robinson-Simpson |
| Rutherford | J. E. Smith | Tinkler |

**Total--24**

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

**H. 3348--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3348 -- Reps. Spires and Toole: A BILL TO AMEND SECTION 40-43-83, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE FACILITIES DEALING WITH PRESCRIPTION DRUGS IN A CERTAIN CAPACITY, SO AS TO APPLY NOTICE PROVISIONS TO OUT-OF-STATE FACILITIES THAT SIMILARLY DEAL WITH PRESCRIPTION DRUGS, TO PROVIDE ALL SUCH FACILITIES PERMITTED IN THIS STATE MUST PROVIDE NOTICE OF DISCIPLINARY ACTION TO THE PHARMACY BOARD, TO REQUIRE INSPECTIONS OF OUT-OF-STATE FACILITIES BY THE BOARD, TO PROVIDE AN OUT-OF-STATE FACILITY SHALL PAY CERTAIN FEES RELATED TO INSPECTIONS, TO PROVIDE FOR THE USE OF OUT-OF-STATE FACILITY INSPECTION FEES COLLECTED BY THE BOARD, TO PROVIDE THE BOARD MAY ENTER INTO MEMORANDUM OF UNDERSTANDING AGREEMENTS WITH THE REGULATORY AUTHORITY OF THE STATE IN WHICH AN OUT-OF-STATE FACILITY IS LOCATED TO CONDUCT INSPECTIONS OF THESE FACILITIES, AND TO PROVIDE THE BOARD MAY CONTRACT WITH A THIRD-PARTY TO INSPECT FACILITIES OF A LICENSEE; AND TO AMEND SECTION 40-43-89, RELATING TO WHOLESALE DISTRIBUTOR PERMITS, SO AS TO REQUIRE A MINIMUM SURETY BOND OR LETTER OF CREDIT, TO REQUIRE A CRIMINAL BACKGROUND CHECK OF THE APPLICANT, TO PROVIDE REQUIREMENTS FOR THE CERTIFICATION AND CONDUCT OF A DESIGNATED REPRESENTATIVE OF A WHOLESALE DISTRIBUTOR.

Rep. SPIRES moved to adjourn debate on the Bill until Wednesday, April 15, which was agreed to.

**H. 3915--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3915 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4554, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Bamberg |
| Bannister | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | Crosby | Daning |
| Delleney | Dillard | 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 | Kennedy |
| King | Kirby | Limehouse |
| 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 | Pope | Putnam |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Wells | Whitmire |
| Williams | Willis | Yow |

**Total--105**

Those who voted in the negative are:

**Total--0**

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

**OBJECTION TO RECALL**

Rep. GOVAN asked unanimous consent to recall H. 3214 from the Committee on Judiciary.

Rep. MERRILL objected.

**OBJECTION TO RECALL**

Rep. GOVAN asked unanimous consent to recall H. 3215 from the Committee on Judiciary.

Rep. D. C. MOSS objected.

**MOTION PERIOD**

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

**H. 3025--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3025 -- Reps. Clemmons, Yow, Hixon, Kennedy, Loftis, Huggins, Rivers, Hill and Gagnon: A BILL TO AMEND SECTION 23-31-215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPONS PERMITS, SO AS TO REVISE THE CONDITIONS THAT ALLOW A HOLDER OF AN OUT-OF-STATE CONCEALED WEAPONS PERMIT TO CARRY A WEAPON IN THIS STATE.

Rep. DELLENEY moved to adjourn debate on the Bill until Wednesday, April 15, which was agreed to.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3433--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3433 -- Reps. Erickson, Weeks, Cobb-Hunter, McCoy, Douglas, Kennedy, Long, Lucas, M. S. McLeod, Ridgeway, Tallon, Thayer, Felder, Pope, J. E. Smith, King, Howard, Parks, Ott, Jefferson, Bernstein, Rivers, Southard, Tinkler, Henegan, Kirby, Bales, Neal, Henderson, Herbkersman, Merrill, G. R. Smith, Bradley, Bannister, H. A. Crawford, Newton, Clemmons, Nanney, Wells, Quinn, Whitmire, Bingham, Stringer, Atwater, Hicks, Mitchell, Funderburk, Norrell, Knight, Sandifer, Gilliard, R. L. Brown, Whipper and W. J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "DOMESTIC VIOLENCE REFORM ACT"; TO AMEND SECTION 16-25-10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF DOMESTIC VIOLENCE OFFENSES, SO AS TO DEFINE OTHER NECESSARY TERMS; TO AMEND SECTION 16-25-20, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OFFENSES, SO AS TO RESTRUCTURE THE OFFENSES BY GRADUATING THE PENALTIES INTO DEGREES, DEFINE THE ELEMENTS OF EACH DEGREE, AND PROVIDE A NEW PENALTY STRUCTURE; TO AMEND SECTION 16-25-65, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, SO AS TO RESTRUCTURE THE OFFENSE, REDEFINE THE ELEMENTS OF THE OFFENSE, TO RESTRUCTURE THE PENALTY, AND TO PROVIDE THAT AS A CONDITION OF BOND FOR THIS OFFENSE, THE JUDGE MAY PROVIDE THAT THE OFFENDER MAY NOT SHIP, TRANSPORT, POSSESS, OR RECEIVE A FIREARM OR AMMUNITION WHILE THE OFFENDER IS UNDER BOND; TO AMEND SECTION 16-1-60, AS AMENDED, RELATING TO CRIMES DEFINED AS VIOLENT, SO AS TO INCLUDE DOMESTIC VIOLENCE IN THE FIRST DEGREE AS A VIOLENT CRIME; TO AMEND SECTION 17-25-45, RELATING TO OFFENSES DEFINED AS "MOST SERIOUS" AND "SERIOUS", SO AS TO ADD THE OFFENSES OF DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE AND DOMESTIC VIOLENCE IN THE FIRST DEGREE TO THE LIST OF "SERIOUS" OFFENSES; TO AMEND SECTION 16-3-600, AS AMENDED, RELATING TO ASSAULT AND BATTERY OFFENSES, SO AS TO REVISE THE DEFINITION OF "MODERATE BODILY INJURY"; TO AMEND SECTION 22-3-546, RELATING TO THE AUTHORIZATION OF CIRCUIT SOLICITORS, IN THEIR DISCRETION, TO ESTABLISH A PROGRAM FOR PROSECUTION OF FIRST OFFENSE DOMESTIC VIOLENCE OFFENSES, SO AS TO EXPAND THE PROGRAMS TO INCLUDE ALL MISDEMEANOR DOMESTIC VIOLENCE OFFENSES; TO AMEND SECTION 22-5-530, AS AMENDED, RELATING TO DEPOSITS IN LIEU OF RECOGNIZANCE AND PAYMENT TO A JAIL OR CORRECTIONAL FACILITY TO SECURE IMMEDIATE RELEASE, SO AS TO PROVIDE THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO A PERSON CHARGED WITH A DOMESTIC VIOLENCE OFFENSE AND SUCH A PERSON IS EXPRESSLY PROHIBITED FROM MAKING A DEPOSIT IN LIEU OF RECOGNIZANCE TO SECURE IMMEDIATE RELEASE; TO AMEND SECTION 17-15-30 AND SECTION 22-5-510, BOTH AS AMENDED, RELATING TO MATTERS TO BE CONSIDERED WHEN DETERMINING CONDITIONS OF RELEASE ON BOND AND BOND HEARINGS AND INFORMATION TO BE PROVIDED TO THE COURT, RESPECTIVELY, BOTH SO AS TO REQUIRE THE COURT TO CONSIDER IF RELEASE ON BOND WOULD CONSTITUTE AN UNREASONABLE DANGER TO THE COMMUNITY OR AN INDIVIDUAL, TO PROVIDE THAT WHEN A PERSON IS CHARGED WITH A VIOLATION OF CERTAIN DOMESTIC VIOLENCE OFFENSES THAT A BOND HEARING MAY NOT PROCEED WITHOUT THE PERSON'S CRIMINAL RECORD AND INCIDENT REPORT, OR THE PRESENCE OF THE ARRESTING OFFICER, TO REQUIRE BOND HEARINGS FOR THESE VIOLATIONS TO BE HELD WITHIN TWENTY-FOUR HOURS AFTER ARREST, AND TO PROVIDE THAT FAILURE OF A PARTY TO ADHERE TO A CONDITION OF BOND MAY RESULT IN THE ISSUANCE OF A BENCH WARRANT FOR CONTEMPT; TO AMEND SECTION 17-15-10, RELATING TO PERSONS WHO MAY BE RELEASED PENDING TRIAL, SO AS TO REQUIRE THE COURT TO CONSIDER IF RELEASE ON BOND WOULD CONSTITUTE AN UNREASONABLE DANGER TO THE COMMUNITY OR AN INDIVIDUAL; TO AMEND SECTION 16-25-120, AS AMENDED, RELATING TO THE RELEASE OF A PERSON ON BOND WHO IS CHARGED WITH A VIOLENT OFFENSE OR WHEN THE VICTIM IS A HOUSEHOLD MEMBER, SO AS TO PROVIDE THAT THE COURT MUST CONSIDER CERTAIN FACTORS BEFORE RELEASING A PERSON ON BOND; TO AMEND SECTION 17-15-50, RELATING TO AMENDMENT OF AN ORDER RELATING TO BOND, SO AS TO CLARIFY THAT THE COURT WITH JURISDICTION OF THE OFFENSE MAY AMEND THE ORDER AT ANY TIME; TO AMEND SECTION 17-15-55, AS AMENDED, RELATING TO BOND AND THE AUTHORITY OF THE CIRCUIT COURT TO REVOKE BOND UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE PURPOSE OF BOND REVOCATION ONLY THAT A SUMMARY COURT HAS CONCURRENT JURISDICTION WITH THE CIRCUIT COURT FOR TEN DAYS FROM THE DATE BOND IS FIRST SET ON A CHARGE BY THE SUMMARY COURT TO DETERMINE IF BOND SHOULD BE REVOKED; TO AMEND SECTION 16-25-20, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OFFENSES, SO AS TO AUTHORIZE A JUDGE TO PROCEED WITH THE PROSECUTION OF A DOMESTIC VIOLENCE OFFENSE WITHOUT THE VICTIM PRESENT AND TO REQUIRE A JUDGE TO MAKE CERTAIN INQUIRIES AND WRITTEN FINDINGS REGARDING WHETHER THE PROSECUTION IS READY TO PROCEED AND THE TYPE OF EVIDENCE THE PROSECUTION IS PREPARED TO PRESENT; TO AMEND SECTION 16-25-70, AS AMENDED, RELATING TO WARRANTLESS ARREST OR SEARCH FOR A DOMESTIC VIOLENCE OFFENSE, SO AS TO REQUIRE THAT THE MANDATED LAW ENFORCEMENT INVESTIGATION OF A DOMESTIC VIOLENCE OFFENSE MUST BE DOCUMENTED ON AN INCIDENT REPORT FORM WHICH MUST BE MAINTAINED BY THE INVESTIGATING AGENCY; TO DIRECT THE DEPARTMENT OF SOCIAL SERVICES IN CONSULTATION WITH THE SOUTH CAROLINA VOUCHER PROGRAM TO PROVIDE CERTAIN CHILDCARE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE TO ENCOURAGE PARTICIPATION IN COURT HEARINGS RELATING TO DOMESTIC VIOLENCE; TO AMEND SECTION 17-22-90, RELATING TO PRETRIAL INTERVENTION PROGRAMS, SO AS TO REQUIRE THE DOMESTIC VIOLENCE FATALITY ADVISORY COMMITTEE TO DEVELOP AND THE ATTORNEY GENERAL TO APPROVE A BATTERER'S TREATMENT PROGRAM FOR USE AS PART OF PRETRIAL INTERVENTION FOR CERTAIN DOMESTIC VIOLENCE OFFENSES AND TO ALLOW THE COURT TO DESIGNATE A SPECIFIC BATTERER'S TREATMENT PROGRAM; BY ADDING ARTICLE 3 TO CHAPTER 25, TITLE 16 SO AS TO CREATE THE DEPARTMENT OF DOMESTIC VIOLENCE FATALITIES OF THE OFFICE OF THE ATTORNEY GENERAL OF SOUTH CAROLINA WHOSE PURPOSE IS TO INVESTIGATE FATALITIES RESULTING FROM DOMESTIC VIOLENCE, TO REQUIRE THE ATTORNEY GENERAL TO OVERSEE THESE INVESTIGATIONS AND THE OVERALL OPERATION OF THE DEPARTMENT, AND TO PROVIDE FOR THE DEPARTMENT'S DUTIES AND POWERS; TO CREATE THE DOMESTIC VIOLENCE FATALITY ADVISORY COMMITTEE WHOSE PURPOSE IS TO DECREASE FATALITIES RESULTING FROM DOMESTIC VIOLENCE AND TO PROVIDE FOR THE COMMITTEE'S MEMBERSHIP, DUTIES, AND POWERS; AND TO EXEMPT CERTAIN MEETINGS AND INFORMATION FROM THE APPLICABILITY OF THE FREEDOM OF INFORMATION ACT AND PROVIDE FOR CONFIDENTIALITY OF CERTAIN INFORMATION RELATED TO THE INVESTIGATION AND REVIEW OF INCIDENCES OF DOMESTIC VIOLENCE BY THE DEPARTMENT AND COMMITTEE; BY ADDING ARTICLE 5 TO CHAPTER 25, TITLE 16 SO AS TO RECODIFY THE PROVISIONS OF SECTION 43-1-260, RELATING TO COMMUNITY DOMESTIC VIOLENCE COORDINATING COUNCILS, WITHIN ARTICLE 5; TO REPEAL SECTION 43-1-260 RELATING TO COMMUNITY DOMESTIC VIOLENCE COORDINATING COUNCILS; TO AMEND SECTION 59-32-30, AS AMENDED, RELATING TO SUBJECTS TAUGHT IN THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO ADD THE SUBJECT OF DOMESTIC VIOLENCE BEGINNING WITH THE 2016-2017 SCHOOL YEAR; AND TO STRIKE THE WORD "CRIMINAL" FROM REFERENCES TO CRIMINAL DOMESTIC VIOLENCE OFFENSES THROUGHOUT AS APPROPRIATE.

Rep. LOWE moved to adjourn debate on the Bill until Wednesday, April 15.

Rep. WEEKS moved to table the motion, which was agreed to.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3433 (COUNCIL\MS\3433C001.MS.AHB15), which was adopted:

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

/ PART I

Citation

SECTION 1. This act may be cited as the “Domestic Violence Reform Act”.

Part II

Domestic Violence Penalties

SECTION 2. Section 16‑25‑10 of the 1976 Code, as last amended by Act 166 of 2005, is further amended to read:

“Section 16‑25‑10. As used in this article, the term:

(1) ‘Deadly weapon’ means any pistol, dirk, slingshot, metal knuckles, razor, or other instrument which can be used to inflict deadly force.

(2) ‘Great bodily injury’ means an injury as defined in Section 16‑3‑600(A)(1).

(3) ‘Household member’ means:

~~(1)~~(a) a spouse;

~~(2)~~(b) a former spouse;

~~(3)~~(c) persons who have a child in common; or

~~(4)~~(d) a male and female who are cohabiting or formerly have cohabited.

(4) ‘Moderate bodily injury’ means an injury as defined in Section 16‑3‑600(A)(2).

(5) ‘Prior conviction of domestic violence’ includes conviction of any crime, in any state, containing among its elements those enumerated in, or substantially similar to those enumerated in, Section 16‑25‑20(A) that is committed against a household member as defined in item (3) within the ten years prior to the incident date of the current offense*.*

(6) ‘Protection order’ means any order of protection, restraining order, condition of bond, or any other similar order issued in this State or another state or foreign jurisdiction for the purpose of protecting a household member.

(7) ‘Firearm’ means a pistol, revolver, rifle, shotgun, machine gun, submachine gun, or an assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive but does not include an antique firearm as defined in 18 U.S.C. 921(a)(16).”

SECTION 3. Section 16‑25‑20 of the 1976 Code, as last amended by Act 255 of 2008, is further amended to read:

“Section 16‑25‑20. (A) It is unlawful to:

(1) cause physical harm or injury to a person’s own household member; or

(2) offer or attempt to cause physical harm or injury to a person’s own household member with apparent present ability under circumstances reasonably creating fear of imminent peril.

(B) Except as otherwise provided in this section, a person ~~who violates the provisions of subsection (A) is guilty of~~ commits the offense of ~~criminal~~ domestic violence ~~and, upon conviction, must be punished as follows~~ in the first degree if the person violates the provisions of subsection (A) and:

(1) ~~for a first offense, the person is guilty of a misdemeanor and must be fined not less than one thousand dollars nor more than two thousand five hundred dollars or imprisoned not more than thirty days. The court may suspend the imposition or execution of all or part of the fine conditioned upon the offender completing, to the satisfaction of the court, and in accordance with the provisions of Section 16‑25‑20(H), a program designed to treat batterers. Notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, and 22‑3‑550, an offense pursuant to the provisions of this subsection must be tried in summary court~~ great bodily injury to the person’s own household member results or the person offered or attempted to injure the person’s own household member with the present ability to do so and a reasonable person could assume great bodily injury could result;

(2) ~~for a second offense, the person is guilty of a misdemeanor and must be fined not less than two thousand five hundred dollars nor more than five thousand dollars and imprisoned not less than a mandatory minimum of thirty days nor more than one year. The court may suspend the imposition or execution of all or part of the sentence, except the thirty‑day mandatory minimum sentence, conditioned upon the offender completing, to the satisfaction of the court, and in accordance with the provisions of Section 16‑25‑20(H), a program designed to treat batterers. If a person is sentenced to a mandatory minimum of thirty days pursuant to the provisions of this subsection, the judge may provide that the sentence be served two days during the week or on weekends until the sentence is completed and is eligible for early release based on credits he is able to earn during the service of his sentence, including, but not limited to, good‑time credits~~ the person violates a protection order and in the process of violating the order commits domestic violence in the second degree;

(3) f~~or a third or subsequent offense, the person is guilty of a felony and must be imprisoned not less than a mandatory minimum of one year but not more than five years.~~ has two or more prior convictions of domestic violence within ten years of the current offense;

(4) the person uses a firearm in any manner while violating the provisions of subsection (A); or

(5) in the process of committing domestic violence in the second degree one of the following also results:

(a) the offense is committed in the presence of, or while being perceived by a minor;

(b) the offense is committed against a person known, or who reasonably should have been known, by the offender to be pregnant;

(c) the offense is committed during the commission of a robbery, burglary, kidnapping, or theft;

(d) the offense is committed by impeding the victim’s breathing or air flow; or

(e) the offense is committed using physical force or the threatened use of force against another to block that person’s access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with:

(i) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or

(ii) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.

A person who violates this subsection is guilty of a felony and, upon conviction, must be imprisoned for not more than ten years.

Domestic violence in the first degree is a lesser included offense of domestic violence of a high and aggravated nature, as defined in Section 16‑25‑65.

(C) ~~For the purposes of subsections (A) and (B), a conviction within the previous ten years for a violation of subsection (A), Section 16‑25‑65, or a criminal domestic violence offense in another state which includes similar elements to the provisions of subsection (A) or Section 16‑25‑65, constitutes a prior offense. A conviction for a violation of a criminal domestic violence offense in another state does not constitute a prior offense if the offense is committed against a person other than a “household member” as defined in Section 16‑25‑10.~~

~~(D)~~ ~~A person who violates the terms and conditions of an order of protection issued in this State under Chapter 4, Title 20, the ‘Protection from Domestic Abuse Act’, or a valid protection order related to domestic or family violence issued by a court of another state, tribe, or territory is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than thirty days and fined not more than five hundred dollars~~  A person commits the offense of domestic violence in the second degree if the person violates subsection (A) and:

(1) moderate bodily injury to their own household member results or moderate bodily injury to their own household member could have resulted; or

(2) the person violates a protection order and in the process of violating the order commits domestic violence in the third degree; or

(3) the person has one prior conviction for domestic violence in the past ten years from the current offense; or

(4) in the process of committing domestic violence in the third degree one of the following also results:

(a) the offense is committed in the presence of, or while being perceived by, a minor;

(b) the offense is committed against a person known, or who reasonably should have been known, by the offender to be pregnant;

(c) the offense is committed during the commission of a robbery, burglary, kidnapping, or theft;

(d) the offense is committed by impeding the victim’s breathing or air flow; or

(e) the offense is committed using physical force or the threatened use of force against another to block that person’s access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with:

(i) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or

(ii) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.

A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand five hundred dollars nor more than five thousand dollars or imprisoned for not more than three years, or both.

Domestic violence in the second degree is a lesser‑included offense of domestic violence in the first degree, as defined in subsection (A), and domestic violence of a high and aggravated nature, as defined in Section 16‑25‑65.

~~(E)~~(D) ~~Unless the complaint is voluntarily dismissed or the charge is dropped prior to the scheduled trial date, a person charged with a violation provided in this chapter must appear before a judge for disposition of the case~~ A person commits the offense of domestic violence in the third degree if the person violates subsection (A).

(1) A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars nor more than two thousand five hundred dollars or imprisoned not more than six months, or both.

(2) Domestic violence in the third degree is a lesser‑included offense of domestic violence in the second degree, as defined in subsection (C), domestic violence in the first degree, as defined in subsection (B), and domestic violence of a high and aggravated nature, as defined in Section 16‑25‑65.

~~(F)~~(E) When a person is convicted of a violation of this section or Section 16‑25‑65 ~~or sentenced pursuant to subsection (C)~~, the court may suspend execution of all or part of the sentence~~, except for the mandatory minimum sentence,~~ and place the offender on probation, conditioned upon:

(1) the ~~offender completing~~ offender’s mandatory completion, to the satisfaction of the court, ~~a~~ of a domestic violence intervention program designed to treat batterers in accordance with the provisions of subsection (G);

(2) fulfillment of all the obligations arising under court order pursuant to this section and Section 16‑25‑65; ~~and~~

(3) other reasonable terms and conditions of probation as the court may determine necessary to ensure the protection of the victim; and

(4) making restitution as the court deems appropriate.

~~(G)~~(F) In determining whether or not to suspend the imposition or execution of all or part of a sentence as provided in this section, the court must consider the nature and severity of the offense, the number of times the offender has repeated the offense, and the best interests and safety of the victim.

~~(H)~~(G) An offender who participates in a ~~batterer treatment~~ domestic violence intervention program pursuant to this section, ~~must~~ shall participate in a program offered through a government agency, nonprofit organization, or private provider approved by the ~~Department of Social Services~~ Circuit Solicitor with jurisdiction over the offense or, if the offender moves to a different circuit after entering a treatment program, the Circuit Solicitor for the county in which the offender resides. The offender ~~must~~ shall pay a reasonable fee, if required, for participation in the ~~treatment~~ program but no person may be denied ~~treatment~~ participation due to inability to pay. If the offender suffers from a substance abuse problem or mental health concern, the judge may order, or the ~~batterer treatment~~ program may refer, the offender to supplemental treatment coordinated through the Department of Alcohol and Other Drug Abuse Services with the local alcohol and drug treatment authorities pursuant to Section 61‑12‑20 or the Department of Mental Health or Veterans’ Hospital, respectively. The offender must pay a reasonable fee for participation in the substance abuse treatment or mental health program, if required, but no person may be denied ~~treatment~~ participation due to inability to pay.

(H) A person who violates the terms and conditions of an order of protection issued in this State pursuant to Chapter 4, Title 20, the ‘Protection from Domestic Abuse Act’, or a valid protection order related to domestic or family violence issued by a court of another state, tribe, or territory is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than thirty days and fined not more than five hundred dollars.

(I) Unless the complaint is voluntarily dismissed or the charge is dropped prior to the scheduled trial date, a person charged with a violation provided in this chapter must appear before a judge for disposition of the case.

(J) Upon a plea agreement or conviction for a violation of subsection (D), the judge shall make a determination as to whether the defendant shall have his civil rights restored in accordance with 18 U.S.C. 921(a)(33)(B)(ii).

(K) Notwithstanding any other provision of law, the judge may provide, as a condition of bond, that an offender who violates the provisions of subsection (B) or (C) may not ship, transport, possess, or receive a firearm or ammunition while the offender is under bond.”

SECTION 4. Section 16‑25‑65 of the 1976 Code, as last amended by Act 166 of 2005, is further amended to read:

“Section 16‑25‑65. (A) A person who violates Section 16‑25‑20(A) is guilty of the offense of ~~criminal~~ domestic violence of a high and aggravated nature when one of the following occurs. The person ~~commits~~:

(1) ~~an assault and battery which involves the use of a deadly weapon or results in serious bodily injury to the victim~~ commits the offense under circumstances manifesting extreme indifference to the value of human life and great bodily injury to the victim results; ~~or~~

(2) ~~an assault, with or without an accompanying battery, which would reasonably cause a person to fear imminent serious bodily injury or death.~~ commits the offense, with or without an accompanying battery and under circumstances manifesting extreme indifference to the value of human life, and would reasonably cause a person to fear imminent great bodily injury or death; or

(3) violates a protection order and, in the process of violating the order, commits domestic violence in the first degree.

(B) A person who violates subsection (A) is guilty of a felony and, upon conviction, must be imprisoned ~~not less than a mandatory minimum of one year nor more than ten years. The court may suspend the imposition or execution of all or part of the sentence, except the one‑year mandatory minimum sentence, and place the offender on probation conditioned upon the offender completing, to the satisfaction of the court, a program designed to treat batterers offered through a government agency, nonprofit organization, or private provider approved by the Department of Social Services. The offender must pay a reasonable fee for participation in the treatment program, but no person may be denied treatment due to inability to pay. If the offender suffers from a substance abuse problem, the judge may order, or the batterer treatment program may refer, the offender to supplemental treatment coordinated through the Department of Alcohol and Other Drug Abuse Services with the local alcohol and drug treatment authorities pursuant to Section 61‑12‑20. The offender must pay a reasonable fee for participation in the substance abuse treatment program, but no person may be denied treatment due to inability to pay~~ for not more than twenty years.

(C) The provisions of subsection (A) create a statutory offense of ~~criminal~~ domestic violence of a high and aggravated nature and must not be construed to codify the common law crime of assault and battery of a high and aggravated nature.

(D) Circumstances manifesting extreme indifference to the value of human life include, but are not limited to, the following:

(1) using a deadly weapon;

(2) impeding the normal breathing or circulation of the blood of a household member by applying pressure to the throat or neck or by obstructing the nose or mouth of a household member;

(3) committing the offense in the presence of a minor;

(4) committing the offense against a person he knew, or should have known, to be pregnant;

(5) committing the offense during the commission of a robbery, burglary, kidnapping, or theft; or

(6) using physical force against another to block that person’s access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with:

(a) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or

(b) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.

(E) Notwithstanding any other provision of law, the judge may provide, as a condition of bond, that an offender who violates the provisions of this section may not ship, transport, possess, or receive a firearm or ammunition while the offender is under bond.”

SECTION 5. Section 16‑1‑60 of the 1976 Code, as last amended by Act 255 of 2012, is further amended to read:

“Section 16‑1‑60. For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16‑3‑10); attempted murder (Section 16‑3‑29); assault and battery by mob, first degree, resulting in death (Section 16‑3‑210(B)), criminal sexual conduct in the first and second degree (Sections 16‑3‑652 and 16‑3‑653); criminal sexual conduct with minors, first, second, and third degree (Section 16‑3‑655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16‑3‑656); assault and battery with intent to kill (Section 16‑3‑620); assault and battery of a high and aggravated nature (Section 16‑3‑600(B)); kidnapping (Section 16‑3‑910); trafficking in persons (Section 16‑3‑930); voluntary manslaughter (Section 16‑3‑50); armed robbery (Section 16‑11‑330(A)); attempted armed robbery (Section 16‑11‑330(B)); carjacking (Section 16‑3‑1075); drug trafficking as defined in Section 44‑53‑370(e) or trafficking cocaine base as defined in Section 44‑53‑375(C); manufacturing or trafficking methamphetamine as defined in Section 44‑53‑375; arson in the first degree (Section 16‑11‑110(A)); arson in the second degree (Section 16‑11‑110(B)); burglary in the first degree (Section 16‑11‑311); burglary in the second degree (Section 16‑11‑312(B)); engaging a child for a sexual performance (Section 16‑3‑810); homicide by child abuse (Section 16‑3‑85(A)(1)); aiding and abetting homicide by child abuse (Section 16‑3‑85(A)(2)); inflicting great bodily injury upon a child (Section 16‑3‑95(A)); allowing great bodily injury to be inflicted upon a child (Section 16‑3‑95(B)); ~~criminal~~ domestic violence of a high and aggravated nature (Section 16‑25‑65); domestic violence in the first degree (Section 16‑25‑20(B)); abuse or neglect of a vulnerable adult resulting in death (Section 43‑35‑85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43‑35‑85(E)); taking of a hostage by an inmate (Section 24‑13‑450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10‑11‑325(B)(1)); spousal sexual battery (Section 16‑3‑615); producing, directing, or promoting sexual performance by a child (Section 16‑3‑820); sexual exploitation of a minor first degree (Section 16‑15‑395); sexual exploitation of a minor second degree (Section 16‑15‑405); promoting prostitution of a minor (Section 16‑15‑415); participating in prostitution of a minor (Section 16‑15‑425); aggravated voyeurism (Section 16‑17‑470(C)); detonating a destructive device resulting in death with malice (Section 16‑23‑720(A)(1)); detonating a destructive device resulting in death without malice (Section 16‑23‑720(A)(2)); boating under the influence resulting in death (Section 50‑21‑113(A)(2)); vessel operator’s failure to render assistance resulting in death (Section 50‑21‑130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55‑1‑30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56‑5‑750(C)(2)); interference with traffic‑control devices, railroad signs, or signals resulting in death (Section 56‑5‑1030(B)(3)); hit and run resulting in death (Section 56‑5‑1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56‑5‑2945(A)(2)); putting destructive or injurious materials on a highway resulting in death (Section 57‑7‑20(D)); obstruction of a railroad resulting in death (Section 58‑17‑4090); accessory before the fact to commit any of the above offenses (Section 16‑1‑40); and attempt to commit any of the above offenses (Section 16‑1‑80). Only those offenses specifically enumerated in this section are considered violent offenses.”

SECTION 6. Section 17‑25‑45(C)(2) of the 1976 Code is amended to read:

“(2) ‘Serious offense’ means:

(a) any offense which is punishable by a maximum term of imprisonment for thirty years or more which is not referenced in subsection (C)(1);

(b) those felonies enumerated as follows:

16‑3‑220 Lynching, Second degree

16‑3‑210(C) Assault and battery by mob, Second degree

16‑3‑600(B) Assault and battery of a high and aggravated nature

16‑3‑810 Engaging child for sexual performance

16‑9‑220 Acceptance of bribes by officers

16‑9‑290 Accepting bribes for purpose of procuring public office

16‑11‑110(B) Arson, Second degree

16‑11‑312(B) Burglary, Second degree

16‑11‑380(B) Theft of a person using an automated teller machine

16‑13‑210(1) Embezzlement of public funds

16‑13‑230(B)(3) Breach of trust with fraudulent intent

16‑13‑240(1) Obtaining signature or property by false pretenses

16‑25‑20(B) Domestic violence, First degree

16‑25‑65 Domestic violence of a high and aggravated nature

38‑55‑540(3) Insurance fraud

44‑53‑370(e) Trafficking in controlled substances

44‑53‑375(C) Trafficking in ice, crank, or crack cocaine

44‑53‑445(B)(1)&(2) Distribute, sell, manufacture, or possess with intent to distribute controlled substances within proximity of school

56‑5‑2945 Causing death by operating vehicle while under influence of drugs or alcohol; and

(c) the offenses enumerated below:

16‑1‑40 Accessory before the fact for any of the offenses listed in subitems (a) and (b)

16‑1‑80 Attempt to commit any of the offenses listed in subitems (a) and (b)

43‑35‑85(E) Abuse or neglect of a vulnerable adult resulting in great bodily injury.”

SECTION 7. Section 56‑7‑10(A) of the 1976 Code is amended to read:

“(A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

Offense Citation

Interfering with Police Officer

Serving Process Section 16‑5‑50

Dumping Trash on Highway/Private

Property Section 16‑11‑700

Indecent Exposure Section 16‑15‑130

Disorderly Conduct Section 16‑17‑530

Damaging Highway Section 57‑7‑10

Place Glass, Nails, Etc. on Highway Section 57‑7‑20

Obstruction of Highway by Railroad

Cars, Etc. Section 57‑7‑240

Signs Permitted on Interstate Section 57‑25‑140

Brown Bagging Section 61‑5‑20

Drinking Liquors in Public

Conveyance Section 61‑13‑360

Poles Dragging on Highway Section 57‑7‑80

Open Container Section 61‑9‑87

Purchase or Possession of Beer or

Wine by a Person Under Age Section 63‑19‑2440

Purchase or Possession of

Alcoholic Liquor by a Person

Under Age Twenty‑One Section 63‑19‑2450

Unlawful Possession and

Consumption of Alcoholic Liquors Section 61‑5‑30

Sale of Beer or Wine on Which

Tax Has Not Been Paid Section 61‑9‑20

Falsification of Age to Purchase

Beer or Wine Section 61‑9‑50

Unlawful Purchase of Beer or

Wine for a Person Who Cannot

Legally Buy Section 61‑9‑60

Unlawful Sale or Purchase of Beer

or Wine, Giving False Information

as to Age, Buying Beer or Wine

Unlawfully for Another Section 61‑9‑85

Employment of a Person Under the

Age of Twenty‑One as an

Employee in Retail or Wholesale

or Manufacturing Liquor Business Section 61‑13‑340

Failure to Remove Doors from

Abandoned Refrigerators Section 16‑3‑1010

Malicious Injury to Animals

or Personal Property Section 16‑11‑510

Timber, Logs, or Lumber Cutting,

Removing, Transporting Without

Permission, Valued at Less Than

Fifty Dollars Section 16‑11‑580

Littering Section 16‑11‑700

Larceny of a Bicycle Valued at

Less Than One Hundred Dollars Section 16‑13‑80

Shoplifting Section 16‑13‑110

Cock Fighting Section 16‑17‑650

Ticket Scalping Section 16‑17‑710

~~Criminal~~ Domestic Violence, ~~First~~

~~Offense and Second Offense (B)(1)~~

~~and (2)~~ second and third degree Section 16‑25‑20

Glue Sniffing Section 44‑53‑1110

Trespassing Section 16‑11‑755

Trespassing Section 16‑11‑600

Trespassing Section 16‑11‑610

Trespassing Section 16‑11‑620

Negligent Operation of

Watercraft; Operation of

Watercraft While Under Influence

of Alcohol or Drugs Section 50‑21‑110

Negligence of Boat Livery to

Provide Proper Equipment and

Registration Section 50‑21‑120

Interference with Aids to

Navigation or Regulatory

Markers or Operation of

Watercraft in Prohibited Area Section 50‑21‑170

Operation of Watercraft Without

a Certificate of Title Section 50‑23‑190

Parking on private property without

permission Section 16‑11‑760

Certificate of Veterinary Inspection;

Requirement for Out‑of‑ State

Livestock or Poultry Section 47‑4‑60

Inhibition of Livestock Inspection Section 47‑4‑120

Imported Swine Section 47‑6‑50

Operating Equine Sales Facility or

Livestock Market Without Permit Section 47‑11‑20

Liability of Person Removing

Livestock for Slaughter Section 47‑11‑120

Notice to Disinfect Section 47‑13‑310

Quarantine of Livestock or Poultry Section 47‑4‑70

Unlawful for Horse to Enter

State Unless Tested Section 47‑13‑1350

Quarantine of Exposed Horses Section 47‑13‑1360

Proof of Test Required for Public

Assembly of Horses Section 47‑13‑1370

False Certificates Section 47‑13‑1390

Unlawful to Feed Garbage to Swine Section 47‑15‑20

Notification Required from Certain

Persons Disposing of Garbage Section 47‑15‑40

Sale of Uninspected Meat and Meat

Products Section 47‑17‑60

Sale of Uninspected Poultry

and Poultry Product Section 47‑19‑70”

Part III

Bond Reform

SECTION 8. Section 17‑15‑30 of the 1976 Code, as last amended by Act 144 of 2014, is further amended to read:

“Section 17‑15‑30. (A) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community or an individual, a court may, on the basis of the following information, consider the nature and circumstances of an offense charged and the charged person’s:

(1) family ties;

(2) employment;

(3) financial resources;

(4) character and mental condition;

(5) length of residence in the community;

(6) record of convictions; and

(7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(B) A court shall consider:

(1) a person’s criminal record;

(2) any charges pending against a person at the time release is requested;

(3) all incident reports generated as a result of an offense charged;

(4) whether a person is an alien unlawfully present in the United States, and poses a substantial flight risk due to this status; and

(5) whether the charged person appears in the state gang database maintained at the State Law Enforcement Division.

(C)(1) Prior to or at the time of a hearing, the arresting law enforcement agency shall provide the court with the following information:

(a) a person’s criminal record;

(b) any charges pending against a person at the time release is requested;

(c) all incident reports generated as a result of the offense charged; and

(d) any other information that will assist the court in determining conditions of release.

(2) The arresting law enforcement agency shall inform the court if any of the information is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement agency to provide the court with the information does not constitute grounds for the postponement or delay of the person’s hearing. Notwithstanding the provisions of this item, when a person is charged with a violation of Chapter 25, Title 16, the bond hearing may not proceed without the person’s criminal record and incident report or the presence of the arresting officer. The bond hearing for a violation of Chapter 25, Title 16 must occur within twenty‑four hours after the arrest.

(D) A court hearing these matters has contempt powers to enforce the provisions of this section.

(E) Within twenty-four hours after the filing of a rule to show cause alleging a violation of a condition of the bond, the court shall schedule an emergency hearing and may issue a bench warrant for contempt if the party fails to appear. The court may revoke bond if the court finds the party failed to adhere to a condition of the bond.”

SECTION 9. Section 22‑5‑510 of the 1976 Code, as last amended by Act 144 of 2014, is further amended to read:

“Section 22‑5‑510. (A) Magistrates may admit to bail a person charged with an offense, the punishment of which is not death or imprisonment for life; provided, however, with respect to violent offenses as defined by the General Assembly pursuant to Section 15, Article I of the Constitution of South Carolina, 1895, magistrates may deny bail giving due weight to the evidence and to the nature and circumstances of the event, including, but not limited to, any charges pending against the person requesting bail. ‘Violent offenses’ as used in this section means the offenses contained in Section 16‑1‑60. If a person under lawful arrest on a charge not bailable is brought before a magistrate, the magistrate shall commit the person to jail. If the offense charged is bailable, the magistrate shall take recognizance with sufficient surety, if it is offered, in default whereof the person must be incarcerated.

(B) A person charged with a bailable offense must have a bond hearing within twenty‑four hours of his arrest and must be released within a reasonable time, not to exceed four hours, after the bond is delivered to the incarcerating facility.

(C) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community or an individual, a court, on the basis of the following information, may consider the nature and circumstances of an offense charged and the charged person’s:

(1) family ties;

(2) employment;

(3) financial resources;

(4) character and mental condition;

(5) length of residence in the community;

(6) record of convictions; and

(7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(D) A court shall consider:

(1) a person’s criminal record;

(2) any charges pending against a person at the time release is requested;

(3) all incident reports generated as a result of an offense charged;

(4) whether a person is an alien unlawfully present in the United States, and poses a substantial flight risk due to this status; and

(5) whether the charged person appears in the state gang database maintained at the State Law Enforcement Division.

(E) Prior to or at the time of the bond hearing, the arresting law enforcement agency shall provide the court with the following information:

(1) the person’s criminal record;

(2) any charges pending against the person at the time release is requested;

(3) all incident reports generated as a result of the offense charged; and

(4) any other information that will assist the court in determining conditions of release.

(F) The arresting law enforcement agency shall inform the court if any of the information required in subsections (C), (D), and (E) is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement agency to provide the court with the information does not constitute grounds for the postponement or delay of the person’s bond hearing. Notwithstanding the provisions of this subsection, when a person is charged with a violation of Chapter 25, Title 16, the bond hearing may not proceed without the person’s criminal record and incident report or the presence of the arresting officer. The bond hearing for a violation of Chapter 25, Title 16 must occur within twenty‑four hours after the arrest.

(G) A court hearing this matter has contempt powers to enforce these provisions.

(H) Within twenty-four hours after the filing of a rule to show cause alleging a violation of a condition of the bond, the court shall schedule an emergency hearing and may issue a bench warrant for contempt if the party fails to appear. The court may revoke bond if the court finds the party failed to adhere to a condition of the bond.”

SECTION 10. Section 17‑15‑10 of the 1976 Code is amended to read:

“Section 17‑15‑10. (A) ~~Any~~ A person charged with a noncapital offense triable in either the magistrates, county or circuit court, shall, at his appearance before any of such courts, be ordered released pending trial on his own recognizance without surety in an amount specified by the court, unless the court determines in its discretion that such a release will not reasonably assure the appearance of the person as required, or unreasonable danger to the community or an individual will result. If such a determination is made by the court, it may impose any one or more of the following conditions of release:

(1) require the execution of an appearance bond in a specified amount with good and sufficient surety or sureties approved by the court;

(2) place the person in the custody of a designated person or organization agreeing to supervise him;

(3) place restrictions on the travel, association, or place of abode of the person during the period of release;

(4) impose any other conditions deemed reasonably necessary to assure appearance as required, including a condition that the person return to custody after specified hours.

(B) ~~Any~~ A person charged with the offense of burglary in the first degree pursuant to Section 16‑11‑311 may have his bond hearing for that charge in summary court unless the solicitor objects.”

SECTION 11. Section 16‑25‑120 (A) and (B) of the 1976 Code are amended to read:

“(A) In addition to the provisions of Section 17‑15‑30, the court ~~may~~ must consider the factors provided in subsection (B) when considering release of a person on bond who is charged with a violent offense, as defined in Section 16‑1‑60, when the victim of the offense is a household member, as defined in Section 16‑25‑10, and the person:

(1) is subject to the terms of a valid order of protection or restraining order at the time of the offense in this State or another state; or

(2) has a previous conviction involving the violation of a valid order of protection or restraining order in this State or another state.

(B) The court ~~may~~ must consider the following factors before release of a person on bond who is subject to the provisions of subsection (A):

(1) whether the person has a history of ~~criminal~~ domestic violence, as defined in this article, or a history of other violent offenses, as defined in Section 16‑1‑60;

(2) the mental health of the person;

(3) whether the person has a history of violating the orders of a court or other governmental agency; and

(4) whether the person poses a potential threat to another person.”

SECTION 12. Section 17‑15‑50 of the 1976 Code is amended to read:

“Section 17‑15‑50. The court with jurisdiction of the offense may, at any time after notice and hearing, amend the order to impose additional or different conditions of release.”

SECTION 13. Section 17‑15‑55 of the 1976 Code, as last amended by Act 144 of 2014, is further amended by adding an appropriately lettered subsection at the end to read:

“( ) For the purpose of bond revocation only, a summary court has concurrent jurisdiction with the circuit court for ten days from the date bond is first set on a charge by the summary court to determine if bond should be revoked.”

Part IV

Social Policy

SECTION 14. Section 16‑25‑70(A) and (B) of the 1976 Code, as last amended by Act 319 of 2008, is further amended to read:

“(A) A law enforcement officer may arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony pursuant to the provisions of Section 16‑25‑20(A) or (D), 16‑25‑65, or 16‑25‑125, even if the act did not take place in the presence of the officer. The officer may, if necessary, verify the existence of probable cause related to a violation pursuant to the provisions of this chapter by telephone or radio communication with the appropriate law enforcement agency. A law enforcement agency must complete an investigation of an alleged violation of this chapter even if the law enforcement agency was not notified at the time the alleged violation occurred. The investigation must be documented on an incident report form which must be maintained by the investigating agency. If an arrest warrant is sought, the law enforcement agency must present the results of the investigation and any other relevant evidence to a magistrate who may issue an arrest warrant if probable cause is established.

(B)(1) ~~A law enforcement officer must arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if physical manifestations of injury to the alleged victim are present and the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony under the provisions of Section 16‑25‑20(A) or (D), or 16‑25‑65 even if the act did not take place in the presence of the officer.~~ A law enforcement officer ~~is~~ may not ~~required to~~ make an arrest if he determines probable cause does not exist after consideration of the factors set forth in subsection (D) and observance that no physical manifestation of injury is present. The officer may, if necessary, verify the existence of an order of protection by telephone or radio communication with the appropriate law enforcement agency.

(2) If the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony under the provisions of Section 16‑25‑20(B), (C), (D), or (H) or Section 16‑25‑65, a law enforcement officer must arrest, with or without a warrant, a person at the person’s place of residence or elsewhere, even if the act did not take place in the presence of the officer. The officer may, if necessary, verify the existence of an order of protection by telephone or radio communication with the appropriate law enforcement agency.”

SECTION 15. The Department of Social Services in consultation with the South Carolina Voucher Program is directed to study current regulations and policies to ensure a domestic violence survivor may apply for childcare and receive childcare services while living in a traditional shelter or while sheltering in the home. The availability of such childcare must be designed to assist the survivor in receiving necessary services related to the care of the child in order to encourage participation in relevant court hearings if the survivor so chooses. The Department of Social Services and the South Carolina Voucher Program shall review relevant regulations as provided in this SECTION and report to the General Assembly by January 1, 2016, on whether current regulations are sufficient to meet the requirements of this SECTION or new regulations must be submitted to the General Assembly.

SECTION 16. Section 17‑22‑90(7) of the 1976 Code is amended to read:

“(7) if the offense is ~~first offense criminal~~ domestic violence pursuant to Section 16‑25‑20, agree in writing to successful completion of a batterer’s treatment program approved by the ~~Department of Social Services~~ Circuit Solicitor with jurisdiction over the offense or, if the offender moves to a different circuit after entering a treatment program, the Circuit Solicitor for the county in which the offender resides. When referring a person to a batterer’s treatment program, a court may designate a program to be used based on the court’s experience with the program regarding successful completion of the program and the level of appropriate communication between the program and the court regarding a person’s attendance.”

SECTION 17. Chapter 25, Title 16 of the 1976 Code is amended by adding:

“Article 3

Domestic Violence Advisory Committee

Section 16‑25‑310. For purposes of this article:

(1) ‘Committee’ means the Domestic Violence Advisory Committee.

(2) ‘Household member’ means a household member as defined in Section 16‑25‑10.

(3) ‘Meeting’ means both in‑person meetings and meetings through telephone conferencing.

(4) ‘Provider of medical care’ means a licensed health care practitioner who provides, or a licensed health care facility through which is provided, medical evaluation or treatment, including dental and mental health evaluation or treatment.

(5) ‘Working day’ means Monday through Friday, excluding official state holidays.

Section 16‑25‑320. (A) There is created a multidisciplinary Domestic Violence Advisory Committee composed of:

(1) the Attorney General of the State of South Carolina, or a designee, who serves ex officio;

(2) the Director of the South Carolina Department of Social Services, or a designee, who serves ex officio;

(3) the Director of the South Carolina Department of Health and Environmental Control, or a designee, who serves ex officio;

(4) the Director of the South Carolina Criminal Justice Academy; or a designee, who serves ex officio;

(5) the Chief of the South Carolina Law Enforcement Division, or a designee, who serves ex officio;

(6) the Director of the South Carolina Department of Alcohol and Other Drug Abuse Services, or a designee, who serves ex officio;

(7) the Director of the South Carolina Department of Mental Health, or a designee, who serves ex officio;

(8) a county coroner or medical examiner, appointed by the Governor on the recommendation of the South Carolina Criminal Justice Academy, who serves ex officio;

(9) a solicitor, appointed by the Governor on the recommendation of the Attorney General, who serves ex officio;

(10) a sheriff, appointed by the Governor on the recommendation of the Sheriffs’ Association;

(11) a victim advocate, appointed by the Governor on the recommendation of the State Office of Victim Assistance of the Office of the Governor;

(12) a physician with experience in treating victims of domestic violence, appointed by the Governor on the recommendation of the South Carolina Medical Association;

(13) two members of the public at large dedicated to the issue of domestic violence, appointed by the Governor;

(14) a police chief, appointed by the Governor on the recommendation of the Law Enforcement Officers’ Association;

(15) one member of the South Carolina Senate, appointed by the Senate Judiciary Committee Chairman; and

(16) one member of the South Carolina House of Representatives, appointed by the House Judiciary Committee Chairman.

(B)(1) If an individual enumerated in items (A)(1) through (7) designates an employee to serve as the committee member, the designee must have administrative or program responsibilities for domestic violence.

(2) A member appointed by the Governor shall serve a term of four years and until a successor is appointed and qualifies.

(C) The members of the committee shall elect a chairman and vice chairman from among the membership by a majority vote. The chairman and vice chairman shall serve terms of two years.

(D) The committee shall hold meetings at least quarterly. A majority of the committee constitutes a quorum for the purpose of holding a meeting.

(E) Each ex officio member shall provide sufficient staff and administrative support to carry out the responsibilities of this article.

Section 16‑25‑330. (A) The purpose of the Domestic Violence Advisory Committee is to decrease the incidences of domestic violence by:

(1) developing an understanding of the causes and incidences of domestic violence;

(2) developing plans for and implementing changes within the agencies represented on the committee which will prevent domestic violence; and

(3) advising the Governor and the General Assembly on statutory, policy, and practice changes which will prevent domestic violence.

(B) To achieve its purpose, the committee shall:

(1) undertake annual statistical studies of the incidences and causes of domestic violence in this State, including an analysis of:

(a) community and public and private agency involvement with the victims and their families;

(b) whether the abuser has a previous criminal record involving domestic violence or assault and battery;

(c) recidivism rates;

(d) the presence of alcohol or drug use;

(e) whether the abuser has participated in a batterer treatment program or other similar treatment program and the name of the program;

(f) the success or failure rate of approved treatment programs;

(g) married versus unmarried rates of violence; and

(h) the rate of domestic violence per county;

(2) consider training, including cross‑agency training, consultation, technical assistance needs, and service gaps that would decrease the likelihood of domestic violence;

(3) determine the need for changes to any statute, regulation, policy, or procedure to decrease the incidences of domestic violence and include proposals for changes to statutes, regulations, policies, and procedures in the committee’s annual report;

(4) educate the public regarding the incidences and causes of domestic violence, specific steps the public can undertake to prevent domestic violence, and the support that civic, philanthropic, and public service organizations can provide in assisting the committee to educate the public;

(5) develop and implement policies and procedures for its own governance and operation;

(6) submit to the Governor and the General Assembly a publicly available annual written report and any other reports prepared by the committee including, but not limited to, the committee’s findings and recommendations; and

(7) review closed domestic violence cases selected by the Attorney General or solicitor’s representative on the committee to provide the commission with the best opportunity to fulfill its duties under the section.

Section 16‑25‑340. Upon request of the committee and as necessary to carry out the committee’s purpose and duties, the committee immediately must be provided:

(1) by a provider of medical care, access to information and records regarding a person whose death is being reviewed by the department pursuant to this article;

(2) access to all information and records maintained by any state, county, or local government agency including, but not limited to, birth certificates, law enforcement investigation data, county coroner or medical examiner investigation data, parole and probation information and records, and information and records of social services and health agencies that provided services to the victim, alleged perpetrator, and other household members.

Section 16‑25‑350. When necessary in the discharge of the duties of the committee and upon application of the committee, the clerks of court shall issue a subpoena or subpoena duces tecum to any state, county, or local agency, board, or commission or to a representative of any state, county, or local agency, board, or commission or to a provider of medical care to compel the attendance of witnesses and production of documents, books, papers, correspondence, memoranda, and other relevant records to the discharge of the department’s duties. Failure to obey a subpoena or subpoena duces tecum issued pursuant to this section may be punished as contempt.

Section 16‑25‑360. (A) Meetings of the committee are closed to the public and are not subject to Chapter 4, Title 30, the Freedom of Information Act, when the committee and department are discussing an individual case of a domestic violence.

(B) Except as provided in subsection (C), meetings of the committee are open to the public and subject to the Freedom of Information Act when the committee is not discussing an individual case of a domestic violence.

(C) Information identifying a victim or a household member, guardian, or caretaker of a victim, or an alleged or suspected perpetrator of domestic violence may not be disclosed during a public meeting, and information regarding the involvement of any agency with the victim, alleged perpetrator, and other household members may not be disclosed during a public meeting.

(D) Violation of this section is a misdemeanor and, upon conviction, a person must be fined not more than five hundred dollars or imprisoned not more than six months, or both.

Section 16‑25‑370. (A) All information and records acquired by the committee in the exercise of their purposes and duties pursuant to this article are confidential, exempt from disclosure under Chapter 4, Title 30, the Freedom of Information Act, and only may be disclosed as necessary to carry out the committee’s and department’s duties and purposes.

(B) Statistical compilations of data which do not contain information that would permit the identification of a person to be ascertained are public records.

(C) Reports of the committee which do not contain information that would permit the identification of a person to be ascertained are public information.

(D) Except as necessary to carry out the committee’s purposes and duties, members of the committee and persons attending their meeting may not disclose what transpired at a meeting which is not public under Section 16‑25‑360 and may not disclose information, the disclosure of which is prohibited by this section.

(E) Members of the committee, persons attending a committee meeting, and persons who present information to the committee may not be required to disclose in any civil or criminal proceeding information presented in or opinions formed as a result of a meeting, except that information available from other sources is not immune from introduction into evidence through those sources solely because it was presented during proceedings of the committee or department or because it is maintained by the committee or department. Nothing in this subsection prevents a person from testifying to information obtained independently of the committee or which is public information.

(F) Information, documents, and records of the committee are not subject to subpoena, discovery, or the Freedom of Information Act, except that information, documents, and records otherwise available from other sources are not immune from subpoena, discovery, or the Freedom of Information Act through those sources solely because they were presented during proceedings of the committee or department or because they are maintained by the committee or department.

(G) Violation of this section is a misdemeanor and, upon conviction, a person must be fined not more than five hundred dollars or imprisoned for not more than six months, or both.”

SECTION 18. Chapter 25, Title 16 of the 1976 Code is amended by adding:

“Article 5

Community Domestic Violence Coordinating Councils

Section 16‑25‑510. The circuit solicitor shall facilitate the development of community domestic violence coordinating councils in each county or judicial circuit based upon public‑private sector collaboration.

Section 16‑25‑520. The purpose of a community domestic violence coordinating council is to:

(1) increase the awareness and understanding of domestic violence and its consequences;

(2) reduce the incidence of domestic violence in the county or area served; and

(3) enhance and ensure the safety of battered individuals and their children.

Section 16‑25‑530. The duties and responsibilities of a community domestic violence coordinating council include, but are not limited to:

(1) promoting effective strategies of intervention for identifying the existence of domestic violence and for intervention by public and private agencies;

(2) establishing interdisciplinary and interagency protocols for intervention with survivors of domestic violence;

(3) facilitating communication and cooperation among agencies and organizations that are responsible for addressing domestic violence;

(4) monitoring, evaluating, and improving the quality and effectiveness of domestic violence services and protections in the community;

(5) providing public education and prevention activities; and

(6) providing professional training and continuing education activities.

Section 16‑25‑540. Membership on a community domestic violence coordinating council may include, but is not limited to, representatives from magistrates court, family court, law enforcement, solicitor’s office, probation and parole, batterer intervention programs or services, nonprofit battered individual’s program advocates, counseling services for children, legal services, victim assistance programs, the medical profession, substance abuse counseling programs, the clergy, survivors of domestic violence, local department of social services, and the education community. Members on the council shall develop memoranda of agreement among and between themselves to ensure clarity of roles and responsibilities in providing services to victims of domestic violence.

Section 16‑25‑550. Each community domestic violence coordinating council is responsible for generating revenue for its operation and administration.”

SECTION 19. Section 59‑32‑30(A)(2) of the 1976 Code is amended to read:

“(2) Beginning with the ~~1988‑89~~ 1988‑1989 school year, for grades six through eight, instruction in comprehensive health must include the following subjects: community health, consumer health, environmental health, growth and development, nutritional health, personal health, prevention and control of diseases and disorders, safety and accident prevention, substance use and abuse, dental health, mental and emotional health, and reproductive health education. Sexually transmitted diseases are to be included as a part of instruction. At the discretion of the local board, instruction in family life education or pregnancy prevention education or both may be included, but instruction in these subjects may not include an explanation of the methods of contraception before the sixth grade. Beginning with the 2016‑2017 school year, for grades six through eight, instruction in comprehensive health education also must include the subject of domestic violence.”

SECTION 20. Sections 22-3-546 and 43‑1‑260 of the 1976 Code are repealed.

Part V

Savings Clause and Effective Date

SECTION 21. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 22. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

Rep. WEEKS spoke in favor of the amendment.

The amendment was then adopted.

**SPEAKER IN CHAIR**

Rep. WEEKS proposed the following Amendment No. 2 to H. 3433 (COUNCIL\MS\3433C022.MS.AHB15), which was adopted:

Amend the bill, as and if amended, pages [3433-18] and [3433-19], by deleting SECTION 14 in its entirety, and inserting:

/ SECTION 14. Section 16‑25‑70(A) and (B), as last amended by Act 319 of 2008, is further amended to read:

“(A) A law enforcement officer may arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony pursuant to the provisions of Section 16‑25‑20(A) or (D), 16‑25‑65, or 16‑25‑125, even if the act did not take place in the presence of the officer. The officer may, if necessary, verify the existence of probable cause related to a violation pursuant to the provisions of this chapter by telephone or radio communication with the appropriate law enforcement agency. A law enforcement agency must complete an investigation of an alleged violation of this chapter even if the law enforcement agency was not notified at the time the alleged violation occurred. The investigation must be document on an incident report form which must be maintained by the investigating agency. If an arrest warrant is sought, the law enforcement agency must present the results of the investigation and any other relevant evidence to a magistrate who may issue an arrest warrant if probable cause is established.

(B) A law enforcement officer ~~must~~ may arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if physical manifestations of injury to the alleged victim are present and the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony under the provisions of Section 16‑25‑20(A) or (D), or 16‑25‑65 even if the act did not take place in the presence of the officer. A law enforcement officer ~~is~~ may not ~~required to~~ make an arrest if he determines probable cause does not exist after consideration of the factors set forth in subsection (D) and observance that no physical manifestation of injury is present. The officer may, if necessary, verify the existence of an order of protection by telephone or radio communication with the appropriate law enforcement agency.”/

Amend the bill further, page [3433‑19], lines 30 ‑ 43, by deleting SECTION 16 in its entirety, and inserting:

/ SECTION 16. Section 17‑22‑90(7) of the 1976 Code is amended to read:

“(7) if the offense is ~~first offense criminal~~ domestic violence pursuant to Section 16‑25‑20, agree in writing to successful completion of a batterer’s treatment program selected by the court and approved by the ~~Department of Social Services~~ Circuit Solicitor with jurisdiction over the offense or, if the offender moves to a different circuit after entering a treatment program, the Circuit Solicitor for the county in which the offender resides. When referring a person to a batterer’s treatment program, a court may designate a program to be used based on the court’s experience with the program regarding successful completion of the program and the level of appropriate communication between the program and the court regarding a person’s attendance.”/

Amend the bill further, SECTION 3, Section 16‑25‑20(D), page [3433‑6], immediately after line 2, by adding an appropriately numbered item to read:

/ ( ) A first offense conviction of domestic violence in the third degree pursuant to this subsection may be expunged five years from the date of conviction. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

Reps. RUTHERFORD, WEEKS, DELLENEY, ERICKSON, BERNSTEIN, M. S. MCLEOD and STAVRINAKIS proposed the following Amendment No. 3 to H. 3433 (COUNCIL\MS\3433C023. MS.AHB15), which was adopted:

Amend the bill, as and if amended, PART II, page [3433-13], after line 37, by adding an appropriately numbered SECTION to read:

/ SECTION . Section 16‑25‑30 of the 1976 Code, as added by Act 59 of 2009, is amended to read:

“Section 16‑25‑30. (A) It is unlawful for a person to ship, transport, receive, or possess a firearm or ammunition, if the person:

(1) has been convicted of a violation of Section 16‑25‑20(B) or 16‑25‑65;

(2) has been convicted of a violation of Section 16-25-20(C) or (D) and the judge at the time of sentencing orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition; or

(3) has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-20(B), Section 16-25-65, or Section 16-25-20(C) or (D) and the judge at the time of sentencing orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition.

(B) A person who violates this section is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than five years, or both.

(C) A person must not be considered to have been convicted of domestic violence for purposes of this section unless the person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and in the case of a prosecution for an offense described in this section for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either the case was tried by a jury, or the person knowingly and intelligently waived the right to have the case tried by a jury, by guilty plea or otherwise. A person must not be considered to have been convicted of domestic violence for purposes of this section if the conviction has been expunged, set aside, or is an offense for which the person has been pardoned.

(D) At the time a person is convicted of violating the provisions of Section 16‑25‑20 or 16‑25‑65, or upon the issuance of an order of protection pursuant to Chapter 4, Title 20, the court must deliver to the person a written form that conspicuously bears the following language: ‘Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16‑25‑20 or 16‑25‑65, or a person who is subject to a valid order of protection pursuant to Chapter 4, Title 20, to ship, transport, possess, or receive a firearm or ammunition.’

(E) The provisions of this section prohibiting the possession of firearms and ammunition by persons who have been convicted of domestic violence shall apply to a person who has been convicted of domestic violence for a period of:

(1) ten years from the date of conviction, if the person has been convicted of a violation of Section 16-25-20(B); or

(2) not more than three years from the date of conviction, the specific time period in the discretion of the judge, if the person has been convicted of a violation of Section 16-25-20(C) or (D) and the judge at the time of sentencing orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition, with the specifics of the prohibitions in the discretion of the judge.

(F) The South Carolina Law Enforcement Division shall notify the National Crime Information Center (NCIC) and request immediate removal of a person’s name to whom the restrictions contained in this section apply:

(1) ten years from the date of conviction if the person was convicted of a violation of Section 16-25-20(B) and the person has not been convicted of any other domestic violence offense pursuant to this article or a similar offense in another jurisdiction and no domestic violence charges are currently pending against the person; or

(2) three years from the date of conviction if the person was convicted of a misdemeanor domestic violence offense pursuant to this article and the person has not been convicted of any other domestic violence offense pursuant to this article or a similar offense in another jurisdiction and no domestic violence charges are currently pending against the person.” /

Amend the bill further, SECTION 3, Section 16-25-20(C), Page [3433-5], immediately after line 30, by adding a new undesignated paragraph to read:

/ Assault and battery in the second degree pursuant to Section 16-3-600(D) is a lesser-included offense of domestic violence in the second degree as defined in this subsection. /

Amend the bill further, SECTION 3, Section 16-25-20(D), Page [3433-6], immediately after line 2, by adding a new undesignated paragraph to read:

/ Assault and battery in the third degree pursuant to Section 16-3-600(E) is a lesser-included offense of domestic violence in the third degree as defined in this subsection. /

Amend the bill further, Pages [3433-9] and [3433-10], by deleting SECTION 5 and inserting:

/ SECTION 5. Section 16‑1‑60 of the 1976 Code, as last amended by Act 255 of 2012, is further amended to read:

“Section 16‑1‑60. For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16‑3‑10); attempted murder (Section 16‑3‑29); assault and battery by mob, first degree, resulting in death (Section 16‑3‑210(B)), criminal sexual conduct in the first and second degree (Sections 16‑3‑652 and 16‑3‑653); criminal sexual conduct with minors, first, second, and third degree (Section 16‑3‑655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16‑3‑656); assault and battery with intent to kill (Section 16‑3‑620); assault and battery of a high and aggravated nature (Section 16‑3‑600(B)); kidnapping (Section 16‑3‑910); trafficking in persons (Section 16‑3‑930); voluntary manslaughter (Section 16‑3‑50); armed robbery (Section 16‑11‑330(A)); attempted armed robbery (Section 16‑11‑330(B)); carjacking (Section 16‑3‑1075); drug trafficking as defined in Section 44‑53‑370(e) or trafficking cocaine base as defined in Section 44‑53‑375(C); manufacturing or trafficking methamphetamine as defined in Section 44‑53‑375; arson in the first degree (Section 16‑11‑110(A)); arson in the second degree (Section 16‑11‑110(B)); burglary in the first degree (Section 16‑11‑311); burglary in the second degree (Section 16‑11‑312(B)); engaging a child for a sexual performance (Section 16‑3‑810); homicide by child abuse (Section 16‑3‑85(A)(1)); aiding and abetting homicide by child abuse (Section 16‑3‑85(A)(2)); inflicting great bodily injury upon a child (Section 16‑3‑95(A)); allowing great bodily injury to be inflicted upon a child (Section 16‑3‑95(B)); ~~criminal~~ domestic violence of a high and aggravated nature (Section 16‑25‑65); abuse or neglect of a vulnerable adult resulting in death (Section 43‑35‑85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43‑35‑85(E)); taking of a hostage by an inmate (Section 24‑13‑450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10‑11‑325(B)(1)); spousal sexual battery (Section 16‑3‑615); producing, directing, or promoting sexual performance by a child (Section 16‑3‑820); sexual exploitation of a minor first degree (Section 16‑15‑395); sexual exploitation of a minor second degree (Section 16‑15‑405); promoting prostitution of a minor (Section 16‑15‑415); participating in prostitution of a minor (Section 16‑15‑425); aggravated voyeurism (Section 16‑17‑470(C)); detonating a destructive device resulting in death with malice (Section 16‑23‑720(A)(1)); detonating a destructive device resulting in death without malice (Section 16‑23‑720(A)(2)); boating under the influence resulting in death (Section 50‑21‑113(A)(2)); vessel operator’s failure to render assistance resulting in death (Section 50‑21‑130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55‑1‑30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56‑5‑750(C)(2)); interference with traffic‑control devices, railroad signs, or signals resulting in death (Section 56‑5‑1030(B)(3)); hit and run resulting in death (Section 56‑5‑1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56‑5‑2945(A)(2)); putting destructive or injurious materials on a highway resulting in death (Section 57‑7‑20(D)); obstruction of a railroad resulting in death (Section 58‑17‑4090); accessory before the fact to commit any of the above offenses (Section 16‑1‑40); and attempt to commit any of the above offenses (Section 16‑1‑80). Only those offenses specifically enumerated in this section are considered violent offenses.” /

Amend the bill further, SECTION 3, Page [3433-7], lines 12 - 15, by deleting Section 16-25-20(J).

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. HILL spoke upon the amendment.

Rep. HILL spoke upon the amendment.

Rep. ATWATER spoke upon the amendment.

Rep. DELLENEY spoke in favor of the amendment.

The amendment was then adopted.

Rep. RUTHERFORD proposed the following Amendment No. 4 to H. 3433 (COUNCIL\MS\3433C021.MS.AHB15), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 4 in its entirety and inserting:

/ SECTION 4. Section 16‑25‑65 of the 1976 Code, as last amended by Act 166 of 2005, is further amended to read:

“Section 16‑25‑65. (A) A person who violates Section 16‑25‑20(A) is guilty of the offense of ~~criminal~~ domestic violence of a high and aggravated nature when one of the following occurs. The person ~~commits~~:

(1) ~~an assault and battery which involves the use of a deadly weapon or results in serious bodily injury to the victim~~ commits the offense under circumstances manifesting extreme indifference to the value of human life and great bodily injury to the victim results; ~~or~~

(2) ~~an assault, with or without an accompanying battery, which would reasonably cause a person to fear imminent serious bodily injury or death.~~ commits the offense, with or without an accompanying battery and under circumstances manifesting extreme indifference to the value of human life, and would reasonably cause a person to fear imminent great bodily injury or death; or

(3) violates a protection order and, in the process of violating the order, commits domestic violence in the first degree.

(B) A person who violates subsection (A) is guilty of a felony and, upon conviction, must be imprisoned ~~not less than a mandatory minimum of one year nor more than ten years. The court may suspend the imposition or execution of all or part of the sentence, except the one‑year mandatory minimum sentence, and place the offender on probation conditioned upon the offender completing, to the satisfaction of the court, a program designed to treat batterers offered through a government agency, nonprofit organization, or private provider approved by the Department of Social Services. The offender must pay a reasonable fee for participation in the treatment program, but no person may be denied treatment due to inability to pay. If the offender suffers from a substance abuse problem, the judge may order, or the batterer treatment program may refer, the offender to supplemental treatment coordinated through the Department of Alcohol and Other Drug Abuse Services with the local alcohol and drug treatment authorities pursuant to Section 61‑12‑20. The offender must pay a reasonable fee for participation in the substance abuse treatment program, but no person may be denied treatment due to inability to pay~~ for not more than twenty years.

(C) The provisions of subsection (A) create a statutory offense of ~~criminal~~ domestic violence of a high and aggravated nature and must not be construed to codify the common law crime of assault and battery of a high and aggravated nature.

(D) Circumstances manifesting extreme indifference to the value of human life include, but are not limited to, the following:

(1) using a deadly weapon;

(2) intentionally impeding the normal breathing or circulation of the blood of a household member by applying pressure to the throat or neck or by obstructing the nose or mouth of a household member and thereby causing stupor or loss of consciousness for any period of time;

(3) committing the offense in the presence of a minor;

(4) committing the offense against a person he knew, or should have known, to be pregnant;

(5) committing the offense during the commission of a robbery, burglary, kidnapping, or theft; or

(6) using physical force against another to block that person’s access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with:

(a) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or

(b) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.

(E) Notwithstanding any other provision of law, the judge may provide, as a condition of bond, that an offender who violates the provisions of this section may not ship, transport, possess, or receive a firearm or ammunition while the offender is under bond.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

Rep. RUTHERFORD proposed the following Amendment No. 5 to H. 3433 (COUNCIL\MS\3433C005.MS.AHB15), which was tabled:

Amend the bill, as and if amended, by deleting SECTION 14 in its entirety and inserting:

/ SECTION 14. Section 16‑25‑70(A) and (B) of the 1976 Code, as last amended by Act 319 of 2008, is further amended to read:

“(A) A law enforcement officer may arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony pursuant to the provisions of Section 16‑25‑20~~(A) or (D)~~, 16‑25‑65, or 16‑25‑125, even if the act did not take place in the presence of the officer. The officer may, if necessary, verify the existence of probable cause related to a violation pursuant to the provisions of this chapter by telephone or radio communication with the appropriate law enforcement agency. Before an officer may make an arrest pursuant to this subsection, the recommendations of a domestic violence counselor must be received and taken into consideration. A law enforcement agency must complete an investigation of an alleged violation of this chapter even if the law enforcement agency was not notified at the time the alleged violation occurred. The investigation must be documented on an incident report form which must be maintained by the investigating agency. If an arrest warrant is sought, the law enforcement agency must present the results of the investigation and any other relevant evidence to a magistrate who may issue an arrest warrant if probable cause is established.

(B) A law enforcement officer must arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if physical manifestations of injury to the alleged victim are present and the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony under the provisions of Section 16‑25‑20~~(A) or (D)~~, or 16‑25‑65 even if the act did not take place in the presence of the officer. A law enforcement officer ~~is~~ may not ~~required to~~ make an arrest if he determines probable cause does not exist after consideration of the factors set forth in subsection (D) and observance that no physical manifestation of injury is present. The officer may, if necessary, verify the existence of an order of protection by telephone or radio communication with the appropriate law enforcement agency.” /

Amend the bill further, page [3433-19], after line 15, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Article 1, Chapter 25, Title 16 of the 1976 Code is amended by adding:

“Section 16-25-75. (A) Each law enforcement agency shall create an Office of Domestic Violence Assessment and Counseling. At least one domestic violence counselor and one domestic violence risk assessor, both of whom must be licensed pursuant to Chapters 55, 63, and 75, respectively, of Title 40 relating to licensed social workers, licensed counselors, and licensed psychologists must be employed by the office.

(B) A domestic violence counselor must accompany a law enforcement officer to the site of a domestic violence incident in order to assess and make recommendations to the law enforcement officer on whether or not an arrest should be made pursuant to Section 16-25-70(A). Communication between the domestic violence counselor and the victim and the person alleged to have committed a domestic violence offense is privileged and may not be used as evidence in a court of law.

(C) When a person is arrested for a domestic violence offense before a bond hearing may be held, a risk assessment must be performed by a domestic violence risk assessor to determine a person’s probability of recidivism. When determining bond, the court must take into consideration the risk assessor’s report.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. ERICKSON moved to table the amendment, which was agreed to by a division vote of 49 to 36.

Reps. COBB-HUNTER, ERICKSON, DOUGLAS and KNIGHT proposed the following Amendment No. 6 to H. 3433 (COUNCIL\MS\3433C008.MS.AHB15), which was tabled:

Amend the bill, as and if amended, page [3433-19], after line 15, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Section 16-3-1110(8) of the 1976 Code is amended to read:

“(8) ‘Victim’ means a person who suffers direct or threatened physical, emotional, or financial harm as the result of an act by someone else, which is a crime. The term includes immediate family members of a homicide victim or of any other victim who is either incompetent or a minor and includes an intervenor. The term also includes a minor who is a witness to a domestic violence offense pursuant to Section 16-25-20 or Section 16-25-65.” /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 66; Nays 42

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bannister |
| Bedingfield | Bingham | Bradley |
| Brannon | Burns | Chumley |
| Cole | Collins | Corley |
| Crosby | Delleney | Duckworth |
| Erickson | Forrester | Gagnon |
| Gambrell | Goldfinch | Hamilton |
| Hardee | Hardwick | Henderson |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Horne |
| Huggins | Johnson | Kennedy |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | Norman |
| Pope | Putnam | Quinn |
| Rivers | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Southard | Spires |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Yow |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Bales |
| Bernstein | Bowers | G. A. Brown |
| R. L. Brown | Clary | Clyburn |
| Cobb-Hunter | Dillard | Douglas |
| Funderburk | George | Gilliard |
| Hart | Henegan | Hodges |
| Hosey | Howard | Jefferson |
| King | Kirby | Knight |
| Mack | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Mitchell |
| Norrell | Ott | Parks |
| Ridgeway | Riley | Robinson-Simpson |
| Rutherford | J. E. Smith | Stavrinakis |
| Tinkler | Weeks | Williams |

**Total--42**

So, the amendment was tabled.

Rep. LOWE proposed the following Amendment No. 7 to H. 3433 (COUNCIL\MS\3433C012.MS.AHB15), which was tabled:

Amend the bill, as and if amended, PART II, page [3433‑13], after line 37, by adding an appropriately numbered SECTION to read:

SECTION . Section 16‑25‑30 of the 1976 Code, as added by Act 59 of 2009, is amended to read:

/ “Section 16‑25‑30. At the time a person is convicted of violating the provisions of Section 16‑25‑20 or 16‑25‑65, the court must deliver to the person a written form that conspicuously bears the following language: ‘Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16‑25‑20 or 16‑25‑65 to ship, transport, possess, or receive a firearm or ammunition.’ The South Carolina Law Enforcement Division shall take reasonable care to maintain confiscated firearms in at least as good a condition as found at the time they were confiscated including, but not limited to, storing the firearms in a humidity‑controlled environment.” /

Renumber sections to conform.

Amend title to conform.

Rep. LOWE explained the amendment.

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

Reps. COBB‑HUNTER, WEEKS and RUTHERFORD proposed the following Amendment No. 9 to H. 3433 (COUNCIL\BBM\3433C002. BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 3, page [3433-6], by striking Section 16‑25‑20(G) and inserting:

/ ~~(H)~~(G) An offender who participates in a ~~batterer treatment~~ domestic violence intervention program pursuant to this section, ~~must~~ shall participate in a program offered through a government agency, nonprofit organization, or private provider approved by the Department of Social Services. The offender ~~must~~ shall pay a reasonable fee, if required, for participation in the ~~treatment~~ program ~~but no person may be denied treatment due to inability to pay~~. If the offender suffers from a substance abuse problem or mental health concern, the judge may order, or the ~~batterer treatment~~ program may refer, the offender to supplemental treatment coordinated through the Department of Alcohol and Other Drug Abuse Services with the local alcohol and drug treatment authorities pursuant to Section 61‑12‑20 or the Department of Mental Health or Veterans’ Hospital, respectively. The offender must pay a reasonable fee for participation in the substance abuse treatment or mental health program, if required ~~but no person may be denied treatment due to inability to pay~~. The Department of Social Services shall enforce the standards of the Domestic Violence Intervention Program, and every five years the department shall review the standards to ensure the program is operated in the most productive manner. /

Amend the bill further by striking SECTION 16 and inserting:

/ SECTION 16. Section 17‑22‑90(7) of the 1976 Code is amended to read:

“(7) if the offense is ~~first offense criminal~~ domestic violence pursuant to Section 16‑25‑20, agree in writing to successful completion of a batterer’s treatment program approved by the Department of Social Services. When referring a person to a treatment program, a court may designate a program to be used based on the court’s experience with the program regarding successful completion of the program and the level of appropriate communication between the program and the court regarding a person’s attendance.” /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. DELLENEY moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 67; Nays 44

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bannister |
| Bedingfield | Bingham | Bradley |
| Brannon | Burns | Chumley |
| Clary | Cole | Collins |
| Corley | H. A. Crawford | Delleney |
| Duckworth | Erickson | Felder |
| Forrester | Gagnon | Gambrell |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Horne | Huggins |
| Johnson | Kennedy | Limehouse |
| Loftis | Long | Lowe |
| McCoy | Merrill | V. S. Moss |
| Murphy | Nanney | Newton |
| Norman | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | G. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Wells |
| White | Whitmire | Willis |
| Yow |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bernstein | Bowers |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Douglas |
| Funderburk | George | Gilliard |
| Govan | Hart | Henegan |
| Hodges | Hosey | Howard |
| Jefferson | King | Kirby |
| Knight | Mack | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Mitchell | D. C. Moss | Norrell |
| Ott | Parks | Ridgeway |
| Robinson-Simpson | Rutherford | G. M. Smith |
| J. E. Smith | Stavrinakis | Tinkler |
| Weeks | Williams |  |

**Total--44**

So, the amendment was tabled.

Rep. RUTHERFORD moved that the House do now adjourn.

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

Yeas 36; Nays 75

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bowers | G. A. Brown |
| R. L. Brown | Cobb-Hunter | Dillard |
| Douglas | Funderburk | George |
| Gilliard | Govan | Hart |
| Henegan | Hill | Hodges |
| Hosey | Howard | Jefferson |
| King | Kirby | Knight |
| Lowe | Mack | McKnight |
| W. J. McLeod | Mitchell | Norrell |
| Ott | Parks | Ridgeway |
| Robinson-Simpson | Rutherford | Williams |

**Total--36**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bradley | Brannon | Burns |
| Chumley | Clary | Clyburn |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Delleney |
| Duckworth | Erickson | Felder |
| Forrester | Gagnon | Gambrell |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hiott | Hixon |
| Horne | Huggins | Johnson |
| Kennedy | Limehouse | Loftis |
| Long | McCoy | McEachern |
| M. S. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Pope |
| Putnam | Quinn | Riley |
| Rivers | Ryhal | Sandifer |
| G. M. Smith | G. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | White |
| Whitmire | Willis | Yow |

**Total--75**

So, the House refused to adjourn.

Rep. KING moved that the House recede until 4:30 p.m.

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

Yeas 30; Nays 72

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bowers |
| G. A. Brown | R. L. Brown | Cobb-Hunter |
| Dillard | Funderburk | George |
| Gilliard | Govan | Hart |
| Henegan | Hill | Hodges |
| Howard | King | Kirby |
| Knight | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Mitchell |
| Norrell | Ott | Ridgeway |
| Robinson-Simpson | Rutherford | Williams |

**Total--30**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bannister |
| Bedingfield | Bingham | Bradley |
| Brannon | Burns | Chumley |
| Clary | Clyburn | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Delleney | Duckworth |
| Erickson | Felder | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Hamilton | Hardwick | Henderson |
| Herbkersman | Hicks | Hiott |
| Hixon | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| Kennedy | Limehouse | Loftis |
| Long | Lowe | McCoy |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Newton |
| Parks | Pope | Putnam |
| Quinn | Riley | Rivers |
| Sandifer | G. M. Smith | G. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | White |
| Whitmire | Willis | Yow |

**Total--72**

So, the House refused to recede.

**AMENDMENT NO. 6--RECONSIDERED AND ADOPTED**

Rep. DELLENEY moved to reconsider the vote whereby Amendment 6 was tabled, which was agreed to.

Reps. COBB-HUNTER, ERICKSON, DOUGLAS and KNIGHT proposed the following Amendment No. 6 to H. 3433 (COUNCIL\MS\3433C008.MS.AHB15), which was adopted:

Amend the bill, as and if amended, page [3433-19], after line 15, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Section 16-3-1110(8) of the 1976 Code is amended to read:

“(8) ‘Victim’ means a person who suffers direct or threatened physical, emotional, or financial harm as the result of an act by someone else, which is a crime. The term includes immediate family members of a homicide victim or of any other victim who is either incompetent or a minor and includes an intervenor. The term also includes a minor who is a witness to a domestic violence offense pursuant to Section 16-25-20 or Section 16-25-65.” /

Renumber sections to conform.

Amend title to conform.

The amendment was then adopted.

Rep. LIMEHOUSE proposed the following Amendment No. 10 to H. 3433 (COUNCIL\BBM\3433C003.BBM.DG15), which was tabled:

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

/ SECTION \_\_. Section 16‑25‑30 of the 1976 Code is amended to read:

“Section 16‑25‑30. (A) It is unlawful for a person to ship, transport, receive, or possess a firearm or ammunition, if the person:

(1) has been convicted of a violation of Section 16‑25‑20(B), 16-25-20(C), or 16‑25‑65;

(2) has been convicted of a violation of Section 16-25-20(D) and the judge at the time of sentencing orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition;

(3) has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-20(A) or 16-25-65;

(4) is subject to a valid order of protection pursuant to Chapter 4, Title 20, and the judge orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition; or

(5) is subject to a valid order of protection related to domestic or family violence issued by a court of another state, tribe, or territory in compliance with the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.

(B) A person who violates this section is guilty of a felony, and, upon conviction, must be fined not less than five hundred dollars nor more than one thousand dollars and imprisoned for not more than five years.

(C) A person must not be considered to have been convicted of domestic violence for purposes of this section unless the person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and in the case of a prosecution for an offense described in this section for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either the case was tried by a jury, or the person knowingly and intelligently waived the right to have the case tried by a jury, by guilty plea or otherwise. A person must not be considered to have been convicted of domestic violence for purposes of this section if the conviction has been expunged, set aside, or is an offense for which the person has been pardoned.

(D) At the time a person is convicted of violating the provisions of Section 16‑25‑20 or 16‑25‑65, or upon the issuance of an order of protection pursuant to Chapter 4, Title 20, the court must deliver to the person a written form that conspicuously bears the following language: ‘Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16‑25‑20 or 16‑25‑65, or a person who is subject to a valid order of protection pursuant to Chapter 4, Title 20, to ship, transport, possess, or receive a firearm or ammunition.’

(E) The provisions of this section prohibiting the possession of firearms and ammunition by persons who have been convicted of domestic violence shall apply to a person who has been convicted of domestic violence for a period of:

(1) ten years from the date of completion of sentence, probation, parole, or suspension of sentence, if the person has been convicted of a violation of Section 16-25-20(B), Section 16-25-20(C), or Section 16-25-65; or

(2) five years from the date of completion of sentence, probation, parole, or suspension of sentence, if the person has been convicted of a violation of Section 16-25-20(D) and the judge at the time of sentencing orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition.

(F) For purposes of this section, ‘firearm’ means a pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.” /

Renumber sections to conform.

Amend title to conform.

Rep. LIMEHOUSE explained the amendment.

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

Reps. DELLENEY AND TALLON proposed the following Amendment No. 11 to H. 3433 (COUNCIL\MS\3433C026.MS. AHB15), which was adopted:

Amend the bill, as and if amended, PART II, page [3433-13], after line 37, by adding an appropriately numbered SECTION to read:

/ SECTION . Section 16‑25‑30 of the 1976 Code, as added by Act 59 of 2009, is amended to read:

“Section 16‑25‑30. (A) It is unlawful for a person to ship, transport, receive, or possess a firearm or ammunition, if the person:

(1) has been convicted of a violation of Section 16‑25‑20(B) or 16‑25‑65;

(2) has been convicted of a violation of Section 16-25-20(C) or (D) and the judge at the time of sentencing orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition; or

(3) has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-20(B), Section 16-25-65, or Section 16-25-20(C) or (D) and the judge at the time of sentencing orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition.

(B) A person who violates this section is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than five years, or both.

(C) A person must not be considered to have been convicted of domestic violence for purposes of this section unless the person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and in the case of a prosecution for an offense described in this section for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either the case was tried by a jury, or the person knowingly and intelligently waived the right to have the case tried by a jury, by guilty plea or otherwise. A person must not be considered to have been convicted of domestic violence for purposes of this section if the conviction has been expunged, set aside, or is an offense for which the person has been pardoned.

(D) At the time a person is convicted of violating the provisions of Section 16‑25‑20 or 16‑25‑65, or upon the issuance of an order of protection pursuant to Chapter 4, Title 20, the court must deliver to the person a written form that conspicuously bears the following language: ‘Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16‑25‑20 or 16‑25‑65, or a person who is subject to a valid order of protection pursuant to Chapter 4, Title 20, to ship, transport, possess, or receive a firearm or ammunition.’

(E) The provisions of this section prohibiting the possession of firearms and ammunition by persons who have been convicted of domestic violence shall apply to a person who has been convicted of domestic violence for a period of:

(1) ten years from the date of conviction, if the person has been convicted of a violation of Section 16-25-20(B); or

(2) not more than three years from the date of conviction, the specific time period in the discretion of the judge, if the person has been convicted of a violation of Section 16-25-20(C) or (D) and the judge at the time of sentencing orders that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition, with the specifics of the prohibitions in the discretion of the judge.

(F) If the person applies in writing, the South Carolina Law Enforcement Division shall notify the National Instant Criminal Background Check System(NICS) and request immediate removal of a person’s name to whom the restrictions contained in this section apply:

(1) ten years from the date of conviction if the person was convicted of a violation of Section 16-25-20(B) and the person has not been convicted of any other domestic violence offense pursuant to this article or a similar offense in another jurisdiction and no domestic violence charges are currently pending against the person; or

(2) three years from the date of conviction if the person was convicted of a misdemeanor domestic violence offense pursuant to this article and the person has not been convicted of any other domestic violence offense pursuant to this article or a similar offense in another jurisdiction and no domestic violence charges are currently pending against the person.” /

Amend the bill further, SECTION 3, Section 16-25-20(C), Page [3433-5], immediately after line 30, by adding a new undesignated paragraph to read:

/ Assault and battery in the second degree pursuant to Section 16-3-600(D) is a lesser-included offense of domestic violence in the second degree as defined in this subsection. /

Amend the bill further, SECTION 3, Section 16-25-20(D), Page [3433-6], immediately after line 2, by adding a new undesignated paragraph to read:

/ Assault and battery in the third degree pursuant to Section 16-3-600(E) is a lesser-included offense of domestic violence in the third degree as defined in this subsection. /

Amend the bill further, Pages [3433-9] and [3433-10], by deleting SECTION 5 and inserting:

/ SECTION 5. Section 16‑1‑60 of the 1976 Code, as last amended by Act 255 of 2012, is further amended to read:

“Section 16‑1‑60. For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16‑3‑10); attempted murder (Section 16‑3‑29); assault and battery by mob, first degree, resulting in death (Section 16‑3‑210(B)), criminal sexual conduct in the first and second degree (Sections 16‑3‑652 and 16‑3‑653); criminal sexual conduct with minors, first, second, and third degree (Section 16‑3‑655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16‑3‑656); assault and battery with intent to kill (Section 16‑3‑620); assault and battery of a high and aggravated nature (Section 16‑3‑600(B)); kidnapping (Section 16‑3‑910); trafficking in persons (Section 16‑3‑930); voluntary manslaughter (Section 16‑3‑50); armed robbery (Section 16‑11‑330(A)); attempted armed robbery (Section 16‑11‑330(B)); carjacking (Section 16‑3‑1075); drug trafficking as defined in Section 44‑53‑370(e) or trafficking cocaine base as defined in Section 44‑53‑375(C); manufacturing or trafficking methamphetamine as defined in Section 44‑53‑375; arson in the first degree (Section 16‑11‑110(A)); arson in the second degree (Section 16‑11‑110(B)); burglary in the first degree (Section 16‑11‑311); burglary in the second degree (Section 16‑11‑312(B)); engaging a child for a sexual performance (Section 16‑3‑810); homicide by child abuse (Section 16‑3‑85(A)(1)); aiding and abetting homicide by child abuse (Section 16‑3‑85(A)(2)); inflicting great bodily injury upon a child (Section 16‑3‑95(A)); allowing great bodily injury to be inflicted upon a child (Section 16‑3‑95(B)); ~~criminal~~ domestic violence of a high and aggravated nature (Section 16‑25‑65); abuse or neglect of a vulnerable adult resulting in death (Section 43‑35‑85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43‑35‑85(E)); taking of a hostage by an inmate (Section 24‑13‑450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10‑11‑325(B)(1)); spousal sexual battery (Section 16‑3‑615); producing, directing, or promoting sexual performance by a child (Section 16‑3‑820); sexual exploitation of a minor first degree (Section 16‑15‑395); sexual exploitation of a minor second degree (Section 16‑15‑405); promoting prostitution of a minor (Section 16‑15‑415); participating in prostitution of a minor (Section 16‑15‑425); aggravated voyeurism (Section 16‑17‑470(C)); detonating a destructive device resulting in death with malice (Section 16‑23‑720(A)(1)); detonating a destructive device resulting in death without malice (Section 16‑23‑720(A)(2)); boating under the influence resulting in death (Section 50‑21‑113(A)(2)); vessel operator’s failure to render assistance resulting in death (Section 50‑21‑130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55‑1‑30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56‑5‑750(C)(2)); interference with traffic‑control devices, railroad signs, or signals resulting in death (Section 56‑5‑1030(B)(3)); hit and run resulting in death (Section 56‑5‑1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56‑5‑2945(A)(2)); putting destructive or injurious materials on a highway resulting in death (Section 57‑7‑20(D)); obstruction of a railroad resulting in death (Section 58‑17‑4090); accessory before the fact to commit any of the above offenses (Section 16‑1‑40); and attempt to commit any of the above offenses (Section 16‑1‑80). Only those offenses specifically enumerated in this section are considered violent offenses.” /

Amend the bill further, SECTION 3, Page [3433-7], lines 12 - 15, by deleting Section 16-25-20(J).

Renumber sections to conform.

Amend title to conform.

Rep. DELLENEY explained the amendment.

The amendment was then adopted.

Rep. RUTHERFORD spoke against the Bill.

**SPEAKER IN CHAIR**

Rep. COBB-HUNTER spoke against the Bill.

**LEAVE OF ABSENCE**

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

Rep. WEEKS spoke in favor of the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 9

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Bedingfield |
| Bernstein | Bingham | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Clary | Clyburn |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Delleney |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Goldfinch | Hamilton |
| Hardee | Hart | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Johnson | Kennedy |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Norrell | Ott |
| Parks | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | White | Whitmire |
| Willis | Yow |  |

**Total--101**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Cobb-Hunter | Dillard | Gilliard |
| Jefferson | King | Mitchell |
| Robinson-Simpson | Rutherford | Williams |

**Total--9**

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

RECORD FOR VOTING

I am traveling today on legislative matters, which prevented me from casting my vote on H. 3433. Had I been present, I would have voted in favor of the Bill.

Rep. Alan Clemmons

**STATEMENT BY REP. DELLENEY**

Rep. DELLENEY gave notice of offering amendments on third reading if necessary, pursuant to Rule 9.2.

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 3957 -- Reps. G. M. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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. 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 DESIGNATE THE MONTH OF MAY 2015 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE COMMUNITY AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESSES.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3958 -- Reps. Quinn, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, 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 CONGRATULATE THE STUDENTS, FACULTY, STAFF, AND ADMINISTRATION OF OAK GROVE ELEMENTARY SCHOOL IN LEXINGTON COUNTY ON RECEIVING A COVETED 2015 PALMETTO'S FINEST AWARD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3959 -- Reps. Felder, Long, Norman, Delleney, King, D. C. Moss, Pope and Simrill: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE FORT MILL HIGH SCHOOL ACADEMIC TEAM FOR CAPTURING THE 2015 STATE CHAMPIONSHIP OF ACADEMICS AND TO HONOR THE TEAM'S EXCEPTIONAL SCHOLARS AND COACH.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3960 -- Reps. Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, 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 CONGRATULATE FREIDA ANN SCYPHERS RAWL JODIE ON THE JOYFUL OCCASION OF HER EIGHTIETH BIRTHDAY AND TO EXTEND BEST WISHES FOR A CELEBRATION FILLED WITH FESTIVITY AND BLESSING.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3961 -- Reps. Chumley, Burns, Forrester, Allison, Tallon, Brannon, Hicks and Cole: A HOUSE RESOLUTION MEMORIALIZING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE INFORMATION REGARDING THE RESETTLEMENT OF REFUGEES IN SPARTANBURG, SOUTH CAROLINA TO ENSURE ACCOUNTABILITY AND TRANSPARENCY OF THE EXPENDITURE OF PUBLIC FUNDS AND OTHER COSTS OF PROVIDING GOVERNMENT SERVICES.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 3963 -- Reps. Huggins, Ballentine, W. J. McLeod, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. 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 CONGRATULATE THE STUDENTS, FACULTY, STAFF, AND ADMINISTRATION OF CHAPIN HIGH SCHOOL ON RECEIVING A COVETED 2015 PALMETTO'S FINEST AWARD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3964 -- Reps. Kennedy, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, 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 AND HONOR DR. J. CHESTER FLOYD, DISTRICT SUPERINTENDENT OF LEXINGTON COUNTY SCHOOL DISTRICT THREE, UPON THE OCCASION OF HIS RETIREMENT AFTER FIFTY YEARS OF DEDICATED AND EXEMPLARY SERVICE IN THE FIELD OF EDUCATION, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3965 -- Reps. Finlay, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, 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 AND HONOR JUSTIN BETHEL, CORNERBACK FOR THE ARIZONA CARDINALS, FOR HIS OUTSTANDING CAREER IN PROFESSIONAL FOOTBALL   
AND FOR HIS SIGNIFICANT WORK WITH MANY CELEBRITIES ON CHARITABLE EVENTS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3967 -- Rep. Long: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE INDIAN LAND MIDDLE SCHOOL ACADEMIC TEAM FOR CAPTURING THE 2015 STATE CHAMPIONSHIP OF ACADEMICS TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL SCHOLARS AND COACHES.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3962 -- Reps. Huggins, Ballentine, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, 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 CONCURRENT RESOLUTION TO RECOGNIZE RUSSELL & JEFFCOAT REAL ESTATE AT THE CELEBRATION OF ITS FIFTIETH ANNIVERSARY AND TO CONGRATULATE THE   
AGENCY ON HALF A CENTURY OF OUTSTANDINGLY SUCCESSFUL ENTREPRENEURIAL ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3966 -- Reps. G. R. Smith, Allison, Sandifer, Bedingfield, Bannister, Stringer, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bernstein, Bingham, 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, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE BASF CORPORATION AT THE CELEBRATION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY AND TO CONGRATULATE THE CORPORATION ON A CENTURY AND A HALF OF OUTSTANDINGLY SUCCESSFUL ENTREPRENEURIAL ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 655 -- Senator Cromer: A CONCURRENT RESOLUTION TO PROCLAIM APRIL 18, 2015, AS "AUCTIONEERS DAY" IN SOUTH CAROLINA, AND TO RECOGNIZE THE ROLE AUCTIONEERS PLAY IN THE STATE'S ECONOMY.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

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

H. 3968 -- Reps. Sottile and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-32-85 SO AS TO PROVIDE PURCHASE OF BENEFICIARY RIGHTS IN A TRUST-BASED TIMESHARE, WHERE ONE OR MORE OF THE PROPERTIES CONTAINED IN THE TRUST IS LOCATED IN THIS STATE, IS A REAL PROPERTY OWNERSHIP CONVEYANCE SUBJECT TO CERTAIN CLOSING REQUIREMENTS APPLICABLE TO TIMESHARES.

Referred to Committee on Labor, Commerce and Industry

H. 3969 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 5, TITLE 38 SO AS TO PROVIDE FOR THE ELECTRONIC TRANSMISSION OF ELECTRONIC NOTICES OR DOCUMENTS RELATED TO INSURANCE AND INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES EFFECTIVE JANUARY 1, 2016; AND TO REDESIGNATE EXISTING SECTIONS IN THE CHAPTER AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

Referred to Committee on Labor, Commerce and Industry

H. 3970 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-59-245 SO AS TO CREATE A LIEN UPON ANY SUM RECOVERED AS DAMAGES FOR PERSONAL INJURY IN A CLAIM, CIVIL ACTION, OR BOTH, TO PROVIDE THE LIEN APPLIES TO SUCH DAMAGES RECOVERED AFTER DECEMBER 31, 2016, TO PROVIDE THE LIEN IS IN FAVOR OF A PERSON TO WHOM THE PERSON RECOVERING THE DAMAGES MAY BE INDEBTED FOR CERTAIN REASONABLE AND NECESSARY EXPENSES IN CONNECTION WITH THE PERSONAL INJURY, TO PROVIDE FOR THE DEFINITION AND CONSTRUCTION OF NECESSARY TERMS, AND TO PROVIDE WHERE DAMAGES ARE RECOVERED ON BEHALF OF A MINOR OR A MENTALLY INCOMPETENT PERSON, THE LIEN WILL ATTACH TO THE SUM RECOVERED AS FULLY AS IF THE PERSON WERE MENTALLY COMPETENT.

Referred to Committee on Judiciary

H. 3971 -- Reps. Bamberg, McKnight, M. S. McLeod, Henegan, Hosey, Collins, Kirby, Corley, Bernstein, G. A. Brown, Delleney, Dillard, Hart, Hodges, Kennedy, Norrell, J. E. Smith and Tinkler: A BILL TO AMEND SECTION 56-10-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING PROVIDERS OF AUTOMOBILE LIABILITY INSURANCE AND PROVIDERS OF OTHER SECURITY IN LIEU OF THIS INSURANCE TO NOTIFY THE DEPARTMENT OF MOTOR VEHICLES OF THE LAPSE OR TERMINATION OF THE INSURANCE OR SECURITY, COMPLIANCE TRANSACTIONS REQUIRED OF VEHICLE OWNERS, AND THE DEPARTMENT'S REQUIRED EFFORTS TO NOTIFY THE OWNER THAT HIS CERTIFICATE OF REGISTRATION AND DRIVING PRIVILEGES HAVE BEEN SUSPENDED, SO AS TO PROVIDE THAT THE NOTICE THAT THE PROVIDER OF INSURANCE AND OTHER SECURITY ARE REQUIRED TO PROVIDE TO THE DEPARTMENT ALSO MUST BE PROVIDED TO THE OWNER OF THE VEHICLE AND THE OPERATOR OF THE VEHICLE, TO PROVIDE THAT THE NOTICES MUST RELATE TO THE LAPSE OR TERMINATION OF THE INSURANCE OR SECURITY BY THE INSURER OR THE INSURED, TO PROVIDE A PERIOD IN WHICH THE NOTICE MUST BE ISSUED AND THE METHOD OF NOTIFICATION THAT MUST BE USED, AND TO PROVIDE A PENALTY THAT MUST BE IMPOSED FOR FAILURE TO PROVIDE THE NOTICE TO THE DEPARTMENT AND THE OWNER OF THE VEHICLE, AND TO PROVIDE THAT FAILURE TO PROVIDE THIS NOTICE IS A REBUTTABLE PRESUMPTION OF BAD FAITH.

Referred to Committee on Labor, Commerce and Industry

H. 3972 -- Reps. Loftis, Burns, Hamilton, Willis, Collins, Clyburn, Robinson-Simpson, Bannister, Bedingfield, Gagnon, Henderson, Hosey, Nanney, G. R. Smith and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-29-1210 SO AS TO ESTABLISH THAT UNDEVELOPED PROPERTY MAY BE TRANSFERRED WITHOUT THE SUBMISSION OF A LAND DEVELOPMENT PLAN; AND TO AMEND SECTION 30-5-30, RELATING TO PREREQUISITES TO RECORDING, SO AS TO ESTABLISH THAT A LAND USE PLAN IS NOT REQUIRED TO EXECUTE A DEED OR OTHER INSTRUMENT.

Referred to Committee on Judiciary

H. 3973 -- Reps. Bannister and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-90 SO AS TO GRANT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SPECIFIC AND EXCLUSIVE JURISDICTION AND AUTHORITY TO CONDUCT AN INVESTIGATION OF ALL OFFICER-INVOLVED SHOOTINGS THAT RESULT, OR COULD HAVE RESULTED, IN BODILY INJURY OR DEATH, TO ALLOW FOR AN INVESTIGATION OF AN OFFICER-INVOLVED SHOOTING TO BE COMPLETED BY A SEPARATE LAW ENFORCEMENT AGENCY IN CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROTOCOL FOR EVIDENCE COLLECTION AND PROCESSING IN CERTAIN CIRCUMSTANCES, TO GRANT AN INVESTIGATING OFFICER THE SAME AUTHORITY AS HE WOULD HAVE IN HIS HOME JURISDICTION FOR THE DURATION OF THE INVESTIGATION, TO ESTABLISH A PROCEDURE FOR THE FORWARDING OF THE EVIDENCE TO THE CIRCUIT SOLICITOR UPON COMPLETION OF THE INVESTIGATION, AND TO ESTABLISH PENALTIES FOR THE FAILURE TO COMPLETE AN INDEPENDENT INVESTIGATION PURSUANT TO THE PROVISIONS OF THIS SECTION.

Referred to Committee on Judiciary

H. 3974 -- Rep. Quinn: A BILL TO AMEND SECTIONS 56-1-400 AND 56-5-2941, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A PERSON TO SURRENDER HIS DRIVER'S LICENSE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN THE LICENSE IS SUSPENDED OR REVOKED, THE ISSUANCE OF A NEW LICENSE BY THE DEPARTMENT, AND THE OPERATION OF A MOTOR VEHICLE WITH AN IGNITION INTERLOCK DEVICE, SO AS TO PROVIDE THAT THE PROVISION THAT EXEMPTS AN EMPLOYER FROM INSTALLING AN IGNITION INTERLOCK DEVICE ON A COMPANY VEHICLE DOES NOT APPLY TO A VEHICLE DRIVEN BY A PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF SECTION 56-5-2930, 56-5-2933, 56-5-2945, OR A LAW OF ANOTHER STATE THAT PROHIBITS A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, UNLESS THE PERSON'S DRIVING PRIVILEGES HAVE BEEN SUSPENDED FOR NOT LESS THAN ONE YEAR OR THE PERSON HAS HAD AN IGNITION INTERLOCK DEVICE INSTALLED FOR NOT LESS THAN ONE YEAR ON EACH OF THE MOTOR VEHICLES OWNED OR OPERATED, OR BOTH, BY THE PERSON; AND TO AMEND SECTION 56-5-2990, AS AMENDED, RELATING TO THE SUSPENSION OF A PERSON'S DRIVER'S LICENSE FOR A VIOLATION OF CERTAIN PROVISIONS THAT PROHIBIT A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, SO AS TO PROVIDE THAT ENTRY INTO AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM'S SERVICES, IF THE SERVICES ARE NECESSARY, IS A MANDATORY REQUIREMENT FOR THE ISSUANCE OF AN IGNITION INTERLOCK RESTRICTED LICENSE, AND TO PROVIDE THAT SUCCESSFUL COMPLETION OF A PROGRAM UNDER CERTAIN CIRCUMSTANCES IS A REQUIREMENT OF THE FULL RESTORATION OF DRIVING PRIVILEGES TO A PERSON WHOSE LICENSE IS SUSPENDED PURSUANT TO THIS SECTION.

Referred to Committee on Judiciary

H. 3975 -- Rep. Quinn: A BILL TO AMEND SECTION 56-5-2941, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON WHO HAS BEEN CONVICTED OF OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANOTHER UNLAWFUL SUBSTANCE TO INSTALL AN IGNITION INTERLOCK DEVICE ON HIS MOTOR VEHICLE, SO AS TO PROVIDE THAT IF AN INSPECTION REPORT OR PHOTOGRAPHIC IMAGES COLLECTED BY THE DEVICE SHOWS THAT A PERSON HAS TAMPERED WITH OR DISABLED THE DEVICE, OR ATTEMPTED TO TAMPER WITH OR DISABLE THE DEVICE, OR IF A PERSON WHO IS SUBJECT TO THIS PROVISION HAS SOLICITED OR REQUESTED ANOTHER PERSON TO START A MOTOR VEHICLE WITH A DEVICE INSTALLED OR CONDUCT A RUNNING RETEST OF THE DEVICE MUST BE ASSESSED FOUR IGNITION INTERLOCK DEVICE POINTS, TO PROVIDE THAT THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES AND THE INTERLOCK SERVICE PROVIDERS MUST PURGE ALL PHOTOGRAPHIC IMAGES COLLECTED BY A DEVICE WITHIN TWELVE MONTHS FROM THE DATE OF A PERSON'S COMPLETION OF THE IGNITION INTERLOCK DEVICE PROGRAM IF THERE ARE NO PENDING APPEALS OR CONTESTED CASE HEARINGS INVOLVED WITH THE PERSON, AND TO PROVIDE THAT BOTH ENTITIES MAY RETAIN PERSONAL INFORMATION REGARDING A PERSON'S PARTICIPATION IN THE PROGRAM BEYOND TWELVE MONTHS IF THE INFORMATION IS RELEVANT FOR VENDOR OVERSIGHT, FISCAL ACCOUNTABILITY, STATISTICAL ANALYSIS, OR PENDING LEGAL MATTERS.

Referred to Committee on Judiciary

H. 3976 -- Reps. Henegan, M. S. McLeod, King, Yow, D. C. Moss, Dillard, Robinson-Simpson, Govan, Tinkler, Southard, W. J. McLeod, Alexander, Neal, Gagnon, Bradley, Bamberg, Kirby, Chumley, Burns, R. L. Brown, Collins, G. A. Brown, Putnam, Jefferson, Hart, Howard, Bernstein, Bowers, Gambrell, Merrill, Thayer and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-605 SO AS TO CREATE THE OFFENSE OF MISTREATMENT OF A CHILD CORPSE, TO DEFINE NECESSARY TERMS, TO PROHIBIT THE TAKING OR DISSEMINATING OF THE IMAGE OF A CHILD CORPSE UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE A PENALTY.

Referred to Committee on Judiciary

H. 3977 -- Rep. J. E. Smith: A BILL TO AMEND SECTION 4-9-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF A COUNTY GOVERNMENT, SO AS TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO ADOPT BY ORDINANCE THE REQUIREMENT THAT A PROPERTY OWNER SHALL KEEP A LOT OR OTHER PROPERTY CLEAN AND FREE OF RUBBISH AND TO PROVIDE A PROCEDURE FOR ENFORCEMENT OF THE ORDINANCE.

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

H. 3978 -- Reps. Funderburk, Clyburn, Robinson-Simpson, McKnight, M. S. McLeod, Hosey, W. J. McLeod, Norrell and Weeks: A BILL TO AMEND SECTION 7-5-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE AND VOTER REGISTRATION, SO AS TO PROVIDE THAT EACH STATE IDENTIFICATION CARD APPLICATION OR MOTOR VEHICLE DRIVER'S LICENSE APPLICATION, INCLUDING RENEWAL APPLICATIONS, SUBMITTED TO THE DEPARTMENT OF MOTOR VEHICLES SHALL SERVE AS AN APPLICATION FOR VOTER REGISTRATION, TO ELIMINATE THE REQUIREMENT THAT THE APPLICANT SIGN A SEPARATE VOTER REGISTRATION PORTION OF THE APPLICATION IN ORDER TO REGISTER, TO PROVIDE THAT THE APPLICANT SHALL CONSENT TO THE USE OF HIS SIGNATURE FROM HIS STATE IDENTIFICATION CARD OR DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES FOR VOTER REGISTRATION PURPOSES, AND TO PROVIDE A PROCEDURE FOR AN INDIVIDUAL TO DECLINE REGISTRATION.

Referred to Committee on Judiciary

H. 3979 -- Reps. Tallon, Bannister, Clary, Quinn, Loftis, Mitchell, Sottile, Collins, Burns, M. S. McLeod, Kennedy, Yow, Bedingfield, Hamilton, Duckworth, Johnson, Corley, King, Kirby, McEachern, Brannon, Horne, Southard, Alexander, Allison, Anderson, Anthony, Bales, Bamberg, Bernstein, Bingham, Bradley, Chumley, Cole, Crosby, Daning, Delleney, Erickson, Felder, Finlay, Funderburk, Gagnon, Gambrell, George, Hardee, Hardwick, Hart, Henderson, Herbkersman, Hicks, Hill, Hixon, Howard, Huggins, Limehouse, Long, Lowe, Lucas, McCoy, Merrill, D. C. Moss, V. S. Moss, Murphy, Nanney, Newton, Norman, Norrell, Ott, Pope, Putnam, Ridgeway, Riley, Rivers, Rutherford, Ryhal, Sandifer, Simrill, G. R. Smith, Spires, Stavrinakis, Stringer, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, White, Whitmire and Willis: A BILL TO AMEND SECTIONS 2-19-10, 2-19-20, 2-19-35, 2-19-70, 2-19-80, AND 2-19-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO CHANGE THE COMMISSION'S PROCESS FOR NOMINATING JUDICIAL CANDIDATES FROM THE NOMINATION OF THREE QUALIFIED CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY.

Referred to Committee on Judiciary

S. 261 -- Senator Thurmond: A BILL TO AMEND SECTION 59-111-320 OF THE 1976 CODE, RELATING TO PERSONS AGE SIXTY AND OVER ATTENDING CLASSES AT STATE-SUPPORTED COLLEGES, UNIVERSITIES, AND TECHNICAL SCHOOLS WITHOUT PAYMENT OF TUITION, TO DELETE THE PROVISION THAT THESE PERSONS RECEIVING COMPENSATION AS FULL-TIME EMPLOYEES MUST PAY TUITION.

Referred to Committee on Education and Public Works

S. 480 -- Senator Davis: A BILL TO AMEND SECTION 40-81-20 OF THE 1976 CODE, RELATING TO DEFINITIONS CONCERNING THE STATE ATHLETICS COMMISSION, TO DEFINE "COMMISSION DESIGNEE"; TO AMEND SECTION 40-81-260, RELATING TO BOXING LICENSES, TO RAISE THE MAXIMUM AGE FOR APPLICANTS FROM THIRTY-FIVE TO FORTY, TO DELETE THE REQUIREMENT THAT A SUPERMAJORITY VOTE OF THE COMMISSION IS NECESSARY TO WAIVE THE AGE REQUIREMENT, AND TO PROVIDE THAT THE COMMISSION DESIGNEE MAY WAIVE THE AGE REQUIREMENT; TO AMEND SECTION 40-81-265, RELATING TO TOUGHMAN CONTESTANTS AND OFF THE STREET BOXING LICENSES, TO RAISE THE MAXIMUM AGE FOR LICENSURE FROM THIRTY-FIVE TO FORTY; TO AMEND SECTION 40-81-270, RELATING TO REQUIREMENTS FOR PROMOTER'S REPRESENTATIVES OF FEMALE BOXERS, TO DELETE REQUIREMENTS CONCERNING EXAMINATIONS MANDATED ANNUALLY AND BEFORE EACH CONTEST; TO AMEND SECTION 40-81-280, RELATING TO LICENSURE REQUIREMENTS FOR PROFESSIONAL KICKBOXERS AND MIXED MARTIAL ARTS CONTESTANTS, TO RAISE THE MAXIMUM AGE FOR APPLICANTS FROM THIRTY-FIVE TO FORTY, TO DELETE THE REQUIREMENT THAT A SUPERMAJORITY VOTE OF THE COMMISSION IS NECESSARY TO WAIVE THE AGE REQUIREMENT, AND TO PROVIDE THAT THE COMMISSION DESIGNEE MAY WAIVE THE AGE REQUIREMENT; AND TO AMEND SECTION 40-81-290, RELATING TO REQUIREMENTS FOR PROMOTER'S REPRESENTATIVES OF FEMALE KICK BOXERS, TO DELETE REQUIREMENTS CONCERNING EXAMINATIONS MANDATED ANNUALLY AND BEFORE EACH CONTEST.

Referred to Committee on Labor, Commerce and Industry

S. 630 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD STUDENT LOAN REPAYMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4534, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Education and Public Works

S. 631 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4533, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Education and Public Works

Rep. GAMBRELL 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. 3556 -- Reps. Jefferson, Gilliard, M. S. McLeod, King, Knight, Govan, Dillard, Hosey, Clyburn, Anderson, Bales, R. L. Brown, Daning, McKnight, Parks, Ridgeway, Spires, Whipper, Alexander, Allison, Anthony, Atwater, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, Burns, Chumley, Clary, Clemmons, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Delleney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Goldfinch, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Howard, Huggins, Johnson, Kennedy, Kirby, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Pitts, Pope, Putnam, Quinn, 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, Toole, Weeks, Wells, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RAISE AWARENESS SURROUNDING THE ISSUE OF GUN VIOLENCE AND TO DECLARE JUNE 2015 GUN VIOLENCE AWARENESS MONTH.

H. 3925 -- Reps. V. S. Moss, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, 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, 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 CONCURRENT RESOLUTION TO DECLARE APRIL 2015 AS "HOMESCHOOL RECOGNITION MONTH" IN SOUTH CAROLINA, TO RECOGNIZE THE DILIGENT EFFORTS OF HOMESCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, AND TO EXPRESS SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL-BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN.

**ADJOURNMENT**

At 3:57 p.m. the House, in accordance with the motion of Rep. TALLON, adjourned in memory of the Honorable T. W. Edwards of Spartanburg, to meet at 10:00 a.m. tomorrow.

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