~~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 130:6: “My soul waits for the Lord more than those who watch for the morning.”

 Let us pray. Almighty God, source of truth, help us seek Your wisdom in everything we do in our work for the people of this State. Give these Representatives the courage of their convictions to do and say what is good and right. For those who govern us in our State and Nation; our President, Governor, Speaker, and the staff who support them, we pray for Your guidance and direction in making decisions. 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.

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

**MOTION ADOPTED**

Rep. HENEGAN moved that when the House adjourns, it adjourn in memory of James "Jim" Myers of Clio, which was agreed to.

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4547

Agency: Department of Natural Resources

Statutory Authority: 1976 Code Section 50-11-2200

Term and Conditions for the Public's Use of State Lakes and Ponds Owned or Leased by the Department of Natural Resources

Received by Speaker of the House of Representatives March 24, 2015

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration February 28, 2016

Revised: February 29, 2016

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4560

Agency: Department of Natural Resources

Statutory Authority: 1976 Code Sections 50-15-20(A), 50-15-60, and 50-15-430(A)

Regulations for Species or Subspecies of Non-game Wildlife

Received by Speaker of the House of Representatives March 11, 2015

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration February 15, 2016

Revised: February 16, 2016

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., April 23, 2015

Mr. Speaker and Members of the House of Representatives:

 The Senate respectfully informs your Honorable Body that it has confirmed the Governor’s appointment of:

Master-in-Equity Reappointment

Spartanburg County

Term Commencing: April 30, 2015

Term Expiring: April 30, 2021

The Honorable Gordon G. Cooper

409 Old Iron Works Road

Spartanburg, South Carolina 29302

Very respectfully,

President of the Senate

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 4058 -- Reps. Rutherford, 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, Jordan, 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, 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 JESSIE MAE JACKSON SUMTER LEAK OF RICHLAND COUNTY ON CELEBRATING EIGHTY YEARS OF BLESSINGS AND TO WISH HER MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4060 -- Reps. D. C. Moss and Horne: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE UNIVERSITY OF SOUTH CAROLINA FISHING TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND HONORED FOR WINNING THE 2015 FISHING LEAGUE WORLDWIDE COLLEGE FISHING NATIONAL CHAMPIONSHIP.

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 University of South Carolina fishing team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and honored for winning the 2015 Fishing League Worldwide College Fishing National Championship.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4062 -- Reps. Henderson, 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, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, 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 RAISE AWARENESS ABOUT THE RISKS OF ATRIAL FIBRILLATION FOR THOSE WHO SUFFER FROM IT AND ABOUT THE AVAILABILITY OF TREATMENT AND TO DECLARE MAY 27, 2015, AS "ATRIAL FIBRILLATION DAY" IN THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4063 -- Reps. J. E. 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, Jordan, 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, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO DECLARE MAY 15, 2015, TO JUNE 15, 2015, AS A TIME SET ASIDE FOR VULNERABLE ADULT AND ELDER ABUSE AWARENESS IN SOUTH CAROLINA AND TO JOIN OTHER STATES AND NATIONS IN RECOGNIZING WORLD ELDER ABUSE AWARENESS DAY ON JUNE 15, 2015.

The Resolution was adopted.

**HOUSE RESOLUTION**

The Resolution was adopted.

H. 4064 -- Reps. McCoy, Mack, Sottile, Crosby, 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, 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, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, 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, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO HONOR AND CONGRATULATE HEAD COACH TOM HATLEY OF JAMES ISLAND CHARTER HIGH SCHOOL ON ACHIEVING HIS 500TH CAREER VICTORY AS A BASEBALL COACH AND TO WISH HIM MUCH CONTINUED SUCCESS IN DAYS TO COME.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4059 -- 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, Jordan, 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 THE FORMATION OF THE INTERNATIONAL SACRAL AGENESIS CAUDAL REGRESSION ASSOCIATION AND TO PROCLAIM MONDAY, JUNE 6, 2015, AS "SACRAL AGENISIS CAUDAL REGRESSION SYNDROME AWARENESS DAY" IN SOUTH CAROLINA.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4061 -- Reps. D. C. Moss, Horne, 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, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, 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 AND CELEBRATE THE UNIVERSITY OF SOUTH CAROLINA FISHING TEAM FOR ITS EXCEPTIONAL ANGLING SKILL AND TO CONGRATULATE TEAM MEMBERS PATRICK WALTERS AND GETTYS BRANNON ON WINNING THE 2015 FISHING LEAGUE WORLDWIDE COLLEGE FISHING NATIONAL CHAMPIONSHIP.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 690 -- Senators Alexander and Hayes: A CONCURRENT RESOLUTION TO DESIGNATE THE MONTH OF MAY 2015 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESS.

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

**INTRODUCTION OF BILLS**

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

H. 4065 -- Reps. Kennedy and Delleney: A BILL TO AMEND SECTION 9-8-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RETIREMENT IN THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO PROVIDE THAT IF THE TERM OF A SOLICITOR WHO HAS RETIRED AND CONTINUES TO SERVE AS A SOLICITOR BEGINS BEFORE THE END OF THE CALENDAR YEAR IN WHICH THE SOLICITOR ATTAINS THE AGE OF SEVENTY-TWO YEARS, THEN THE SOLICITOR MAY CONTINUE TO SERVE AS SOLICITOR AND RECEIVE A RETIREMENT BENEFIT UNTIL THE END OF THE SOLICITOR'S TERM.

Referred to Committee on Ways and Means

H. 4066 -- Reps. Gagnon, H. A. Crawford, Gambrell, Putnam, Thayer, Southard, Daning, Newton, Pitts and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SUBARTICLE 5 TO ARTICLE 9, CHAPTER 5, TITLE 43 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO ADMINISTER THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND TO DETERMINE ELIGIBILITY FOR PROGRAM BENEFITS, TO LIMIT INDIVIDUALS TO RECEIPT OF SNAP BENEFITS TO THREE MONTHS OUT OF EVERY THIRTY-SIX MONTHS WITH EXCEPTIONS, TO PROVIDE FOR CERTAIN CIRCUMSTANCES UNDER WHICH INDIVIDUALS ARE NOT ELIGIBLE TO RECEIVE SNAP BENEFITS AND ESTABLISH ADDITIONAL PENALTIES, TO PROVIDE A PROCESS THROUGH WHICH INDIVIDUALS MAY REGAIN ELIGIBILITY FOR SNAP BENEFITS, AND TO PROHIBIT THE DEPARTMENT FROM APPLYING FOR WAIVERS FROM WORK REQUIREMENTS TO RECEIVE SNAP BENEFITS; TO AMEND SECTION 43-5-1105, RELATING TO STATE WELFARE POLICY, SO AS TO EXPAND THE SCOPE OF THE POLICY; TO AMEND SECTION 43-5-1110, RELATING TO DEFINITIONS OF TERMS USED IN ARTICLE 9, SO AS TO ADD DEFINITIONS RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM AND TO CHANGE OR ELIMINATE CERTAIN DEFINITIONS; TO AMEND SECTION 43-5-1115, RELATING TO EMPLOYMENT AND TRAINING REQUIREMENTS FOR CERTAIN PUBLIC BENEFITS, SO AS TO REFERENCE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AND THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; TO AMEND SECTION 43-5-1150, RELATING TO A FEDERAL PROGRAM WHOSE FUNCTION IS TO INCREASE JOB OPPORTUNITIES, SO AS TO CONFORM THE PROGRAM NAME TO CURRENT LAW; TO DESIGNATE EXISTING SECTIONS OF ARTICLE 9 AS SUBARTICLES; AND TO RENAME ARTICLE 9, CHAPTER 5, TITLE 43 THE "TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AND SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ACT".

Referred to Committee on Ways and Means

S. 211 -- Senator Campsen: A BILL TO AMEND SECTION 56-2-105(E) OF THE 1976 CODE, SO AS TO ALLOW POLITICAL SUBDIVISIONS TO CREATE SEPARATE GOLF CART PATHS ON STREETS AND ROADS WITHIN THE JURISDICTION OF THE POLITICAL SUBDIVISION.

Referred to Committee on Education and Public Works

S. 592 -- Senator Campsen: A BILL TO AMEND SECTION 50-11-710(A) OF THE 1976 CODE, RELATING TO THE HUNTING OF FERAL HOGS, COYOTES, AND ARMADILLOS, TO PROVIDE THAT FERAL HOGS, COYOTES, AND ARMADILLOS MAY BE HUNTED AT ANY TIME OF THE YEAR UNDER AUTHORITY OF AND PURSUANT TO THE CONDITIONS CONTAINED IN A DEPREDATION PERMIT ISSUED BY THE DEPARTMENT AND FROM THE LAST DAY OF FEBRUARY TO THE FIRST DAY OF JULY OF THAT SAME YEAR WITH ANY LEGAL FIREARM, BOW AND ARROW, OR CROSSBOW WHEN NOTICE IS GIVEN TO THE DEPARTMENT, AND TO PROVIDE CONDITIONS FOR HUNTING THESE ANIMALS AT NIGHT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atwater |
| Bales | Ballentine | Bamberg |
| Bannister | Bernstein | Bingham |
| Bradley | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| King | Kirby | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | Norrell |
| Ott | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Sandifer | Simrill | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Tallon | Taylor |
| Tinkler | Toole | Weeks |
| Whipper | White | Williams |
| Willis | Yow |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, April 28.

|  |  |
| --- | --- |
| Mike Anthony | William Bowers |
| Douglas "Doug" Brannon | Grady Brown |
| Heather Crawford | Laurie Funderburk |
| Mike Gambrell | Chris Hart |
| William "Bill" Hixon | Jenny A. Horne |
| Leon Howard | Ralph Kennedy |
| Patsy Knight | H. B. "Chip" Limehouse |
| Dwight Loftis | Harold Mitchell |
| Joseph Neal | Ralph Norman |
| Anne Parks | Todd Rutherford |
| Mike Ryhal | G. Murrell Smith |
| Leon Stavrinakis | Anne Thayer |
| Don Wells | William R. "Bill" Whitmire |

**Total Present--121**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Michael L. Ervin of Lexington was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

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. 3027 |
| Date: | ADD: |
| 04/28/15 | ERICKSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3083 |
| Date: | ADD: |
| 04/28/15 | GILLIARD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3147 |
| Date: | ADD: |
| 04/28/15 | CLEMMONS, GOLDFINCH, MURPHY, J. E. SMITH and MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3149 |
| Date: | ADD: |
| 04/28/15 | WHIPPER and R. L. BROWN |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3154 |
| Date: | ADD: |
| 04/28/15 | BALES and QUINN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3156 |
| Date: | ADD: |
| 04/28/15 | YOW |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3549 |
| Date: | ADD: |
| 04/28/15 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3682 |
| Date: | ADD: |
| 04/28/15 | BINGHAM |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3725 |
| Date: | ADD: |
| 04/28/15 | W. J. MCLEOD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3788 |
| Date: | ADD: |
| 04/28/15 | BALLENTINE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3874 |
| Date: | ADD: |
| 04/28/15 | DILLARD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3979 |
| Date: | ADD: |
| 04/28/15 | BALLENTINE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4049 |
| Date: | ADD: |
| 04/28/15 | LOFTIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4050 |
| Date: | ADD: |
| 04/28/15 | LOFTIS |

**LEAVE OF ABSENCE**

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

**H. 4052--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 4052 -- Reps. Hardwick, H. A. Crawford, Clemmons and Duckworth: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF ONE DAY THAT SCHOOLS IN HORRY COUNTY CLOSED IN THE 2014-2015 SCHOOL YEAR DUE TO INCLEMENT WEATHER FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

The yeas and nays were taken resulting as follows:

 Yeas 73; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bales |
| Bamberg | Bannister | Bernstein |
| Bradley | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cole | Corley | Crosby |
| Delleney | Dillard | Douglas |
| Duckworth | Finlay | Forrester |
| Gagnon | George | Gilliard |
| Goldfinch | Hardee | Hardwick |
| Hayes | Henderson | Henegan |
| Hicks | Hill | Hodges |
| Hosey | Jefferson | Johnson |
| Lowe | Lucas | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norrell | Ott |
| Pope | Putnam | Ridgeway |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | Sottile | Spires |
| Tallon | Taylor | Tinkler |
| Weeks | Wells | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--73**

 Those who voted in the negative are:

**Total--0**

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

**LEAVE OF ABSENCE**

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

**H. 4055--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4055 -- Reps. Cole and Mitchell: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 7 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

The yeas and nays were taken resulting as follows:

 Yeas 36; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Bales | Bernstein |
| Brannon | Burns | Cole |
| Crosby | Delleney | Dillard |
| Forrester | Gagnon | Hayes |
| Hixon | Jordan | Lowe |
| Lucas | McKnight | D. C. Moss |
| V. S. Moss | Newton | Norrell |
| Pitts | Pope | Putnam |
| Quinn | Simrill | G. R. Smith |
| Sottile | Spires | Tallon |
| Wells | White | Whitmire |
| Williams | Willis | Yow |

**Total--36**

 Those who voted in the negative are:

**Total--0**

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

**H. 3348--REQUESTS FOR DEBATE**

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.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 3348 (COUNCIL\ AGM\3348C001.AGM.AB15):

Amend the bill, as and if amended, Section 40‑43‑83(L), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (L) All facilities permitted by this State shall notify the board within twenty‑one days of receipt of any final order or final decision by a regulatory agency imposing disciplinary action on the facility. If the permit or registration in the state where the facility is located is suspended or revoked, then the facility’s registration in this State immediately must be suspended or revoked for the same period of time. Failure to notify the board within twenty‑one days will result in suspension pending board action. /

Amend the bill further, Section 40‑43‑89(A)(1)(e), as contained in SECTION 2, by deleting the subitem in its entirety and inserting:

/ (e) evidence of:

 (i) a minimum one hundred thousand dollars surety bond or certified letter of credit for a facility with more than ten million dollars annual gross receipts; or

 (ii) a minimum twenty five thousand dollars surety bond or certified letter of credit for a facility with ten million dollars or less annual gross receipts; and /

Renumber sections to conform.

Amend title to conform.

Rep. SPIRES explained the amendment.

Reps. ATWATER, SPIRES, WELLS, CLARY, G. R. SMITH, HENDERSON, FORRESTER, COLLINS, CLYBURN, MCKNIGHT, YOW, KIRBY, TALLON and COLE requested debate on the Bill.

**H. 3878--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill, which was adopted:

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.

**H. 3917--AMENDED, REQUEST FOR DEBATE, AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3917 -- Reps. Atwater, Long, Horne and Erickson: A BILL TO AMEND SECTION 47-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO CRUELTY TO ANIMALS, SO AS TO DEFINE THE TERM "COMPANION ANIMAL"; AND BY ADDING SECTION 47-1-45 SO AS TO PROHIBIT THE TATTOOING OR PIERCING OF A COMPANION ANIMAL EXCEPT FOR SPECIFIED REASONS AND TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION WHICH IS A MISDEMEANOR.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3917 (COUNCIL\SWB\3917C001.SWB.CM15), which was adopted:

Amend the bill, as and if amended, Section 14‑1‑45, as contained in SECTION 2, by adding the following appropriately numbered subsection:

/ ( ) As contained in this section ‘tattoo’ or ‘tattooing’ has the same meaning as contained in Section 44‑34‑10(4). /

Renumber sections to conform.

Amend title to conform.

Rep. V. S. MOSS explained the amendment.

The amendment was then adopted.

Rep. HILL requested debate on the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 89; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | R. L. Brown | Burns |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McKnight | M. S. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Norrell | Ott | Pope |
| Putnam | Quinn | Ridgeway |
| Rivers | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | White | Whitmire |
| Willis | Yow |  |

**Total--89**

 Those who voted in the negative are:

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

**Total--1**

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

STATEMENT FOR THE JOURNAL

 Pet tattooing is not a thing here in South Carolina, nor is the intent of tattooing to cause an animal pain or harm. I voted no on H. 3917 because animals are considered property and by banning this practice, it would infringe on a person’s liberty and is not an appropriate or necessary use of government force.

 Rep. Jonathon Hill

**H. 3880--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3880 -- Reps. Ott, Hixon, Pitts, Riley and Johnson: A BILL TO AMEND SECTION 50-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS THAT RELATE TO THE MIGRATORY WATERFOWL COMMITTEE, THE CREATION OF THE COMMITTEE, ITS MEMBERSHIP, AND RESPONSIBILITIES, SO AS TO INCREASE ITS MEMBERSHIP BY ONE WHO SHALL BE A DESIGNEE OF DELTA WATERFOWL OF SOUTH CAROLINA WHO IS NOT A PAID EMPLOYEE.

Rep. HIXON explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 86; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Brannon |
| R. L. Brown | Burns | Chumley |
| Clary | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| Crosby | Delleney | Douglas |
| Duckworth | Erickson | Felder |
| Forrester | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Hart | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Long |
| Lowe | Lucas | McCoy |
| M. S. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norrell | Ott | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Willis | Yow |  |

**Total--86**

 Those who voted in the negative are:

**Total--0**

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

**H. 3910--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3910 -- Reps. Duckworth, Hardee, Hixon, Hiott, Loftis, Collins, Johnson, H. A. Crawford, Hardwick, Goldfinch, Burns, Clemmons, Gagnon, Lowe and Ryhal: A BILL TO AMEND SECTION 48-39-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TIDELANDS AND WETLANDS, SO AS TO PROVIDE A THREE-YEAR STATUTE OF LIMITATIONS ON ENFORCEMENT VIOLATIONS RELATING TO MINOR DEVELOPMENT ACTIVITIES AND TO PROVIDE EXCEPTIONS WHEN THE ALLEGED VIOLATOR KNOWINGLY OR INTENTIONALLY WITHHELD INFORMATION RELATING TO THE ALLEGED VIOLATION.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3910 (COUNCIL\NBD\3910C001.NBD.CZ15), which was adopted:

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

/ SECTION 1. Section 48‑39‑170(C) of the 1976 Code is amended to read:

 “(C) Any person who is determined to be in violation of any provision of this chapter by the department shall be liable for, and may be assessed by the department for, a civil penalty of not less than one hundred dollars nor more than one thousand dollars per day of violation. Whenever the department determines that any person is in violation of any permit, regulation, standard, or requirement under this chapter, the department may issue an order requiring such person to comply with such permit, regulation, standard, or requirement, including an order requiring restoration when deemed environmentally appropriate by the department; in addition, the department may bring a civil enforcement action under this section as well as seeking an appropriate injunctive relief under Section 48‑39‑160. The department must assert violations of any provision of this chapter relating to minor development activities within three years of the date of the violation, except if the department’s failure to assert the alleged violation resulted from a knowing or intentional attempt to withhold or conceal information relating to the alleged violation by the person against whom the violation is alleged. Failure to make application for, and subsequently receive, the required permit, permit modification, or permit amendment before commencing these activities must be considered to be an act of concealment. The provisions of this section apply to all enforcement actions pending as of January 1, 2015, and all future enforcement actions.” /

Renumber sections to conform.

Amend title to conform.

Rep. DILLARD explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 102; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bingham |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Hart |
| Hayes | Henderson | Henegan |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Norrell |
| Ott | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--102**

 Those who voted in the negative are:

**Total--0**

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

**H. 3084--RECOMMITTED**

The following Bill was taken up:

H. 3084 -- Reps. Jefferson, Southard, McKnight, Weeks, Whipper, Robinson-Simpson and Mitchell: A BILL TO AMEND SECTION 7-15-380, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OATH OF THE ABSENTEE BALLOT APPLICANT, SO AS TO ELIMINATE THE REQUIREMENT THAT THE ABSENTEE BALLOT APPLICANT'S OATH BE WITNESSED.

Rep. DELLENEY moved to recommit the Bill to the Committee on Judiciary.

Rep. JEFFERSON moved to table the motion.

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

Yeas 36; Nays 59

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bales | Bamberg | Bernstein |
| Bowers | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Douglas |
| Felder | Funderburk | George |
| Gilliard | Govan | Hart |
| Henegan | Hodges | Hosey |
| Howard | Jefferson | McEachern |
| M. S. McLeod | W. J. McLeod | Nanney |
| Norrell | Ott | Pope |
| Putnam | Quinn | Ridgeway |
| Robinson-Simpson | J. E. Smith | Tinkler |
| Weeks | Whipper | Williams |

**Total--36**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Ballentine | Bannister |
| Bingham | Bradley | Brannon |
| Burns | Chumley | Clary |
| Clemmons | Cole | Collins |
| Corley | Daning | Delleney |
| Duckworth | Erickson | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Henderson | Hicks | Hill |
| Hiott | Hixon | Horne |
| Huggins | Johnson | Jordan |
| Kennedy | Limehouse | Long |
| Lowe | McCoy | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Newton | Pitts | Riley |
| Rivers | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Willis | Yow |  |

**Total--59**

So, the House refused to table the motion.

The question then recurred to the motion to recommit the Bill.

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

Yeas 66; Nays 38

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Ballentine | Bannister |
| Bingham | Bradley | Brannon |
| Burns | Chumley | Clary |
| Clemmons | Cole | Collins |
| Corley | Daning | Delleney |
| Duckworth | Erickson | Felder |
| Forrester | Gagnon | Gambrell |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Horne | Huggins |
| Johnson | Jordan | Kennedy |
| Limehouse | Loftis | Long |
| Lowe | McCoy | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Newton | Pitts | Putnam |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Yow |

**Total--66**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bales | Bamberg | Bernstein |
| Bowers | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Douglas |
| Funderburk | George | Gilliard |
| Govan | Hart | Hayes |
| Henegan | Hodges | Hosey |
| Howard | Jefferson | Kirby |
| Mack | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Nanney |
| Norrell | Ott | Pope |
| Quinn | Ridgeway | Robinson-Simpson |
| J. E. Smith | Tinkler | Weeks |
| Whipper | Williams |  |

**Total--38**

So, the motion to recommit the Bill was agreed to.

**H. 3154--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3154 -- Reps. J. E. Smith, G. M. Smith, Cobb-Hunter, M. S. McLeod, Toole, Weeks, Whipper, Robinson-Simpson, Quinn and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 15, TITLE 7 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT", TO DEFINE NECESSARY TERMS, AND PROVIDE REGISTRATION AND ABSENTEE VOTING ALTERNATIVES FOR CERTAIN MILITARY AND OVERSEAS VOTERS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3154 (COUNCIL\GGS\3154C003.GGS.ZW15), which was adopted:

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

/ SECTION 1. Chapter 15, Title 7 of the 1976 Code is amended by adding:

“Article 9

South Carolina Uniform Military and Overseas Voters

 Section 7‑15‑600. This act may be cited as the ‘South Carolina Uniform Military and Overseas Voters Act’.

 Section 7‑15‑610. In registering to vote, an overseas voter who is eligible to vote in this State shall use and must be assigned to the voting precinct of the address of the last place of residence of the voter in this State, or in the case of a voter described by Section 7‑15‑310(10)(e), the address of the last place of residence in this State of the parent or legal guardian of the voter. If that address is no longer a recognized residential address, the voter must be assigned an address for voting purposes.

 Section 7‑15‑620. (A) To apply to register to vote, in addition to another approved method, a covered voter may use a federal postcard application, or the application’s electronic equivalent.

 (B) A covered voter may use the declaration accompanying a federal write‑in absentee ballot to apply to register to vote simultaneously with the submission of the federal write‑in absentee ballot, if the declaration is received before the closure of the registration books for that election. If the declaration is received after that date, it must be treated as an application to register to vote for subsequent elections.

 (C) The executive director of the State Election Commission shall ensure that the election commission’s electronic transmission system is capable of accepting both a federal postcard application and any other approved electronic registration application sent to the appropriate election official. The voter may use the electronic transmission system or any other approved method to register to vote.

 Section 7‑15‑630. (A) A covered voter may use the declaration accompanying a federal write‑in absentee ballot as an application for a military‑overseas ballot simultaneously with the submission of the federal write‑in absentee ballot, if the declaration is received by the appropriate election official by seven o’clock p.m. on election day.

 (B) To receive the benefits of this article, a covered voter must inform the appropriate election official that the voter is a covered voter. Methods of informing the appropriate election official that a voter is a covered voter include:

 (1) the use of a federal postcard application or federal write‑in absentee ballot;

 (2) the use of an overseas address on an approved voter registration application or ballot application; and

 (3) the inclusion on an approved voter registration application or ballot application of other information sufficient to identify the voter as a covered voter.

 Section 7‑15‑640. If a ballot application from a covered voter arrives after the jurisdiction begins transmitting ballots and balloting materials to voters, the official charged with distributing a ballot and balloting materials shall transmit them to the voter not later than five o’clock p.m. on the next business day after the application arrives.

 Section 7‑15‑650. (A) A valid military‑overseas ballot must be counted if it is delivered to the address that the appropriate state or local election office has specified by the close of business on the business day before the county canvass.

 (B) If, at the time of completing a military‑overseas ballot and balloting materials, the voter has declared under penalty of perjury that the ballot was timely submitted, the ballot may not be rejected on the basis that it has a late postmark, an unreadable postmark, or no postmark as long as the ballot was received in accordance with subsection (A).

 Section 7‑15‑660. A military‑overseas ballot must include or be accompanied by a declaration signed by the voter that a material misstatement of fact in completing the ballot may be grounds for a conviction of perjury under the laws of the United States or this State.

 Section 7‑15‑670. The Executive Director of the State Election Commission, in coordination with local election officials, shall implement an electronic free‑access system by which a covered voter may determine whether:

 (1) the voter’s federal postcard application or other registration or military‑overseas ballot application has been received and accepted; or

 (2) the voter’s military‑overseas ballot has been received and the current status of the ballot.

 Section 7‑15‑680. (A) The local election official shall request an electronic‑mail address from each covered voter who registers to vote after the effective date of this article. An electronic‑mail address provided by a covered voter may not be made available to the public or any individual or organization other than an authorized agent of the local election official and is exempt from disclosure under the Freedom of Information laws of this State. The address may be used only for official communication with the voter about the voting process, including transmitting military‑overseas ballots and election materials if the voter has requested electronic transmission, and verifying the voter’s mailing address and physical location. The request for an electronic‑mail address must describe the purposes for which the electronic‑mail address may be used and include a statement that any other use or disclosure of the electronic‑mail address is prohibited.

 (B) A covered voter who provides an electronic‑mail address may request that the voter’s application for a military‑overseas ballot be considered a standing request for electronic delivery of a ballot for all elections held through December thirty‑first of the year following the calendar year of the date of the application or another shorter period the voter specifies, including for any runoff elections that occur as a result of those elections. An election official shall provide a military‑overseas ballot to a voter who makes a standing request for each election to which the request is applicable. A covered voter who is entitled to receive a military‑overseas ballot for a primary election under this subsection is entitled to receive a military‑overseas ballot for the general election.

 Section 7‑15‑690. (A) At least one hundred days before a regularly scheduled election and as soon as practicable before an election not regularly scheduled, the executive director of the State Election Commission shall prepare appropriate election notices to be used in conjunction with a federal write‑in absentee ballot. The election notice must contain a list of all of the ballot measures and federal, state, and local offices that as of that date the official expects to be on the ballot on the date of the election. The notice also must contain specific instructions for how a voter is to indicate on the federal write‑in absentee ballot the voter’s choice for each office to be filled and for each ballot measure to be contested.

 (B) A covered voter may request a copy of an election notice. The executive director shall send the notice to the voter by facsimile, electronic mail, or regular mail, as the voter requests.

 (C) As soon as ballot styles are certified, and not later than the date ballots are required to be transmitted to voters pursuant to Article 5, Chapter 15 of this title, the executive director shall update the notice with the certified candidates for each office and ballot measure questions and make the updated notice publicly available.

 (D) A local election jurisdiction that maintains an online website shall make the election notice available by linking to the State Election Commission website.

 Section 7‑15‑700. (A) If a voter’s mistake or omission in the completion of a document pursuant to this article does not prevent determining whether a covered voter is eligible to vote, the mistake or omission does not invalidate the document. Failure to satisfy a nonsubstantive requirement, such as using paper or envelopes of a specified size or weight, does not invalidate a document submitted pursuant to this article. In a write‑in ballot authorized by this article or in a vote for a write‑in candidate on a regular ballot, if the intention of the voter is discernable pursuant to the laws of this State, an abbreviation, misspelling, or other minor variation in the form of the name of a candidate or a political party must be accepted as a valid vote.

 (B) Notarization is not required for the execution of a document pursuant to this article. An authentication, other than the declaration specified in Section 7‑15‑660, or the declaration on the federal postcard application and federal write‑in absentee ballot, is not required for execution of a document pursuant to this article. The declaration and any information in the declaration may be compared with information on file to ascertain the validity of the document.

 Section 7‑15‑710. A court may issue an injunction or grant other equitable relief appropriate to ensure substantial compliance with, or enforce, this article on application by:

 (1) a covered voter alleging a grievance under this article; or

 (2) an election official in this State.

 Section 7‑15‑720. In applying and construing this article, consideration may be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.”

SECTION 2. Section 7-15-310 of the 1976 Code, as last amended by Act 392 of 2000, is further amended to read:

 “Section 7‑15‑310. As used in this ~~article~~ chapter:

 (1) ~~The term~~ ‘Members of the Armed Forces of the United States’ means members of the United States Army, the United States Navy, the United States Marine Corps, the United States Air Force, the United States Coast Guard, or any of their respective components.

 (2) ~~The term~~ ‘Members of the Merchant Marine of the United States’ means all officers and men engaged in maritime service on board ships.

 (3) ~~The term~~ ‘Students’ means all persons residing outside of the counties of their respective residences, enrolled in an institution of learning.

 (4) ~~The term~~ ‘Physically disabled person’ means a person who, because of injury or illness, cannot be present in person at his voting place on election day.

 (5) ~~The term~~ ‘Registration form’ means Standard Form 76, or ~~any~~a subsequent form replacing it, authorized by the federal government or the state form described in Section 7‑15‑120.

 (6) ~~The term~~ ‘Persons in employment’ means those persons who by virtue of their employment obligations are unable to vote in person.

 (7) ~~The term~~ ‘Authorized representative’ means a registered elector who, with the voter’s permission, acts on behalf of a voter unable to go to the polls because of illness or disability resulting in his confinement in a hospital, sanatorium, nursing home, or place of residence, or a voter unable because of a physical handicap to go to his polling place or because of ~~such~~a handicap is unable to vote at his polling place due to existing architectural barriers ~~which~~that deny him physical access to the polling place, voting booth, or voting apparatus or machinery. Under no circumstance shall a candidate or a member of a candidate’s paid campaign staff or volunteers reimbursed for the time they expend on campaign activity be considered an ‘authorized representative’ of an elector desiring to vote by absentee ballot.

 (8) ~~The term~~ ‘Immediate family’ means a person’s spouse, parents, children, brothers, sisters, grandparents, grandchildren, and mothers‑in‑law, fathers‑in‑law, brothers‑in‑law, sisters‑in‑law, sons‑in‑law, and daughters‑in‑law.

 (9) ~~The term~~ ‘Overseas citizen’ means a citizen of the United States residing outside of the United States as specified by Section 7‑15‑110.

 (10) ‘Covered voter’ means:

 (a) a uniformed‑service voter or an overseas voter who is registered to vote in this State;

 (b) a uniformed‑service voter defined in paragraph (9)(A) whose voting residence is in this State and who otherwise satisfies this state’s voter eligibility requirements;

 (c) an overseas voter who, before leaving the United States, was last eligible to vote in this State and, except for a state residency requirement, otherwise satisfies this state’s voter eligibility requirements;

 (d) an overseas voter who, before leaving the United States, would have been last eligible to vote in this State had the voter then been of voting age and, except for a state residency requirement, otherwise satisfies this state’s voter eligibility requirements; or

 (e) an overseas voter who was born outside the United States, is not described in subitem (c) or (d), and, except for a state residency requirement, otherwise satisfies this state’s voter eligibility requirements, if:

 (i) the last place where a parent or legal guardian of the voter was, or under this article would have been, eligible to vote before leaving the United States is within this State; and

 (ii) the voter has not previously registered to vote in any other state.

 (11) ‘Dependent’ means an individual recognized as a dependent by a uniformed service.

 (12) ‘Federal postcard application’ means the application prescribed under Section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff(b)(2).

 (13) ‘Federal write‑in absentee ballot’ means the ballot described in Section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff‑2.

 (14) ‘Military‑overseas ballot’ means:

 (a) a federal write‑in absentee ballot;

 (b) a ballot specifically prepared or distributed for use by a covered voter in accordance with this article; or

 (c) a ballot cast by a covered voter in accordance with this article.

 (15) ‘Overseas voter’ means a United States citizen who resides outside the United States.

 (16) ‘Uniformed service’ also means:

 (a) active and reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States;

 (b) the Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or

 (c) the National Guard or organized militia;

 (17) ‘Uniformed‑service voter’ means an individual who is qualified to vote and is:

 (a) a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty;

 (b) a member of the Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States;

 (c) a member on activated status of the National Guard or organized militia; or

 (d) a spouse or dependent of a member referred to in this item.”

SECTION 3. The provisions of this act are severable. If any section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, items, subitems, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

Renumber sections to conform.

Amend title to conform.

Rep. QUINN 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 103; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| Crosby | Daning | Delleney |
| Dillard | Duckworth | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Hart | Hayes | Henderson |
| Henegan | Hicks | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Johnson | Jordan | Kirby |
| Limehouse | Loftis | Long |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norrell | Ott |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--103**

 Those who voted in the negative are:

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

**Total--1**

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

STATEMENT FOR THE JOURNAL

 While I, too, am very concerned about the possibility of military service members’ votes not being counted, H. 3154 has too many loopholes that would allow voter fraud. First, this Bill covers more than just military voters. Second, Section 7-15-620 allows same day voter registration, on the same paperwork. Third, Section 7-15-700 gives a lot of discretion when counting the ballots and does not require notarization.

 Rep. Jonathon Hill

**H. 3997--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3997 -- Reps. Gilliard, Anderson, King, Lucas, Mack, Clyburn, Stavrinakis, Govan, M. S. McLeod, Alexander, Merrill, Williams, Parks, Jefferson, Erickson, Kirby, Norrell, Ott, Horne, George, Bannister, Bernstein, R. L. Brown, Clary, Funderburk, Gagnon, Gambrell, Hayes, Hodges, Long, V. S. Moss, Ridgeway, Weeks, Wells, Willis, Henegan, Whipper, Robinson-Simpson, Hart and G. A. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-90, SO AS TO DIRECT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED) TO DEVELOP CRITERIA AND DETERMINE AN APPROPRIATE METHOD TO IMPLEMENT THE STATEWIDE USE OF BODY-WORN CAMERAS BY LOCAL AND STATE LAW ENFORCEMENT OFFICERS, TO DIRECT SLED TO DESIGN AND OPERATE A PILOT PROJECT INCLUDING CERTAIN COUNTIES AND MUNICIPALITIES IN THE STATE, AND TO AUTHORIZE SLED TO DEVELOP AND PROPOSE REGULATIONS WHICH WOULD SET THE CRITERIA AND PROVIDE A METHOD FOR IMPLEMENTATION FOR THE STATEWIDE USE OF BODY-WORN CAMERAS BY LOCAL AND STATE LAW ENFORCEMENT OFFICERS AFTER THE PILOT PROJECT IS COMPLETED.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3997 (COUNCIL\MS\3997C001.MS.AHB15):

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

/ SECTION 1. Chapter 3, Title 23 of the 1976 Code is amended by adding:

 “Section 23‑3‑90. (A) For purposes of this section, ‘body‑worn camera’ means an electronic device worn on a person’s body that records both audio and video data.

 (B) The South Carolina Law Enforcement (SCLE) Training Council is directed to develop specific criteria and determine an appropriate method to implement the statewide use of body‑worn cameras by local and state law enforcement officers in this State including which law enforcement agencies and their respective officers should or should not be included in the use of body‑worn cameras. In developing this criteria, SCLE Training Council shall take into account factors involved in implementing the statewide use of body‑worn cameras including, but not limited to, maintenance, storage and retention, use, and accessibility, release, and privacy issues associated with the capturing of images, audio, and video data through the use of body‑worn cameras.

 (C) SCLE Training Council shall conduct a pilot program in at least three cooperating counties and six municipalities in the State, with populations varying in size, in which body‑worn cameras will be utilized in order to develop the criteria and determine the appropriate method to implement their statewide use.

 (D) Six months after the effective date of this section, SCLE Training Council shall make recommendations to the General Assembly regarding the need for amendments to statewide laws in order to implement such use.”

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

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

Reps. HIOTT, G. M. SMITH, QUINN, RILEY, SPIRES, CORLEY, TOOLE, CHUMLEY, FORRESTER, WHITMIRE, THAYER, PITTS, GAMBRELL, CLEMMONS, WHIPPER, R. L. BROWN, GOVAN, CROSBY, JOHNSON, YOW, M. S. MCLEOD, MCKNIGHT, HART, MACK and HOSEY requested debate on the Bill.

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

**RECURRENCE TO THE MORNING HOUR**

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

STATEMENT FOR THE JOURNAL

 I was temporarily out of the Chamber meeting with Senators and other dignitaries to honor the Rock Hill Friendship Nine.

 Rep. Carl L. Anderson

**H. 3878--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill, which was adopted:

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.

**H. 3682--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3682 -- Reps. Finlay, Bannister, Newton, Cole, Delleney, Weeks, Whipper, Robinson-Simpson and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 39 SO AS TO ENACT THE "BAD FAITH ASSERTION OF PATENT INFRINGEMENT ACT", TO PROVIDE THAT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENTS ARE PROHIBITED, TO DEFINE TERMS, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION IN STATE COURTS BY A RECIPIENT OF A BAD FAITH ASSERTION TO PATENT INFRINGEMENT, TO PROVIDE THAT ENFORCEMENT ACTIONS MAY BE BROUGHT BY THE ATTORNEY GENERAL AND WILFUL AND KNOWING VIOLATIONS MAY RESULT IN CIVIL PENALTIES OF NOT MORE THAN FIFTY THOUSAND DOLLARS FOR EACH VIOLATION, TO PROVIDE FOR THE FACTORS THAT A COURT MAY CONSIDER WHEN MAKING A BAD FAITH DETERMINATION, AND TO PROVIDE EXCEPTIONS.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 103; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bales |
| Ballentine | Bamberg | Bannister |
| Bingham | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Kirby | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | 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 | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Yow |  |  |

**Total--103**

 Those who voted in the negative are:

**Total--0**

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

**S. 11--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 11 -- Senators L. Martin, Malloy, Peeler, Courson, Campsen, Johnson, Hembree, Setzler, Coleman, Alexander, Scott and Sheheen: A BILL TO AMEND SECTION 30-4-80, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE NOTICE OF MEETINGS FOR PUBLIC BODIES, TO REQUIRE THAT A PUBLIC BODY MUST PROVIDE AN AGENDA FOR ALL REGULARLY SCHEDULED MEETINGS AND THAT ITEMS SHALL NOT BE ADDED TO THAT AGENDA LATER THAN TWENTY-FOUR HOURS BEFORE THE MEETING, EXCEPT BY A TWO-THIRDS VOTE OF THE BODY.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 11 (COUNCIL\AGM\11C001.AGM.AB15), which was adopted:

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

/ SECTION 1. Section 30‑4‑80 of the 1976 Code is amended to read:

 “Section 30‑4‑80. (~~a~~A) All public bodies, except as provided in subsections (b) and (c) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. Agenda~~, if any,~~ for regularly scheduled or special meetings must be posted on a bulletin board in a publicly accessible place at the office or meeting place of the public body and on a public website maintained by the body, if any, at least twenty‑four hours prior to such meetings. All public bodies must post on such bulletin board or website, if any, public notice for any called, special, or rescheduled meetings. Such notice must be posted as early as is practicable but not later than twenty‑four hours before the meeting. Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty‑four hours notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item upon which action can be taken only may be added to the agenda by a two‑thirds vote of the members present and voting, who must make a finding that an emergency exists if the item is not added to the agenda. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies.

 (~~b~~B) Legislative committees must post their meeting times during weeks of the regular session of the General Assembly and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in session. Once an agenda for a legislative committee is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty‑four hours notice to the public, which must be made in the same manner as the original notice. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

 (~~c~~C) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection (a), must make reasonable and timely efforts to give notice of their meetings.

 (~~d~~D) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

 (~~e~~E) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.”

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

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER 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 100; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bingham | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Loftis | Long | Lowe |
| Mack | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Newton |
| 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 |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| White | Whitmire | Willis |
| Yow |  |  |

**Total--100**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on S. 11. If I had been present, I would have voted in favor of the Bill.

 Rep. William M. “Bill” Hixon

Rep. KENNEDY moved that the House recede until 2:45 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 2:45 p.m. the House resumed, the SPEAKER in the Chair.

**ACTING SPEAKER CROSBY IN CHAIR**

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. D. C. MOSS a leave of absence for the remainder of the day to attend Project Evergreen in Cherokee County.

**H. 3784--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3784 -- Reps. Erickson, Herbkersman, Hodges, Bowers, Kirby, Lowe, Weeks and Whipper: A BILL TO AMEND SECTION 9-8-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE MASTERS-IN-EQUITY IN THE DEFINITION OF "JUDGE"; AND TO AMEND SECTION 9-8-40, AS AMENDED, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW MASTERS-IN-EQUITY SERVING ON JULY 1, 2015, TO ELECT TO BECOME A MEMBER.

Reps. W. J. MCLEOD and NORRELL proposed the following Amendment No. 1 to H. 3784 (COUNCIL\NBD\3784C001.NBD. CZ15):

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

/ SECTION 1. Section 9‑8‑10(16) of the 1976 Code, as last amended by Act 263 of 2014, is further amended to read:

 “(16) ‘Judge’ means a justice of the Supreme Court or a judge of the court of appeals, circuit or family court of the State of South Carolina. Subject to the provisions of Section 9‑8‑40, ‘judge’ also means an administrative law judge, a probate judge, and a master‑in‑equity.” /

Amend the bill, further, as and if amended, by deleting SECTION 2 in its entirety and inserting:

 / SECTION 2. Section 9‑8‑40(1) of the 1976 Code, as last amended by Act 263 of 2014, is further amended to read:

 “(1) All persons who are judges or solicitors on July 1, 1979, and who have not attained age seventy‑two shall become members of the system as of that date. All administrative law judges on July 1, 2014, all probate judges and all masters‑in‑equity on July 1, 2015, who have not retired may elect to become a member of the system. Administrative law judges, probate judges and masters‑in‑equity making that election may transfer prior service into the system as provided in Section 9‑8‑50, and to the extent the service thus transferred occurred after the member took office as an administrative law judge, probate judge, or master‑in‑equity, that service is deemed earned service in the system. All other persons become members of the system on taking office as judge, solicitor, or circuit public defender before attaining age seventy‑two.” /

Renumber sections to conform.

Amend title to conform.

Rep. W. J. MCLEOD explained the amendment.

Reps. HIOTT, BRANNON, COLLINS, TOOLE, CROSBY, BANNISTER, GAGNON, WILLIS, GAMBRELL, ERICKSON, CLEMMONS, FORRESTER and HIXON requested debate on the Bill.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. G. M. SMITH a temporary leave of absence.

**H. 3083--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3083 -- Reps. Huggins, Kennedy, Clary, Corley, Weeks, Whipper and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA OVERDOSE PREVENTION ACT" BY ADDING CHAPTER 130 TO TITLE 44 SO AS TO PROVIDE CERTAIN PROFESSIONALS AND OTHER INDIVIDUALS PROTECTION FROM CIVIL AND CRIMINAL LIABILITY AND PROFESSIONAL DISCIPLINE FOR PRESCRIBING, DISPENSING, OR ADMINISTERING AN OPIOID ANTIDOTE TO INDIVIDUALS AT RISK OF AN OPIOID OVERDOSE, TO REQUIRE PROVISION OF INSTRUCTIONAL INFORMATION TO NONHEALTH CARE PROFESSIONALS ADMINISTERING OPIOID ANTIDOTES AND DOCUMENTATION OF RECEIPT OF THE INSTRUCTION, TO PROVIDE FOR FUNDING AND FOR GRANTS TO ORGANIZATIONS TO SUPPORT OPIOID OVERDOSE PREVENTION AND AWARENESS PROJECTS, TO CLARIFY THAT THE PROVISIONS OF THE CHAPTER DO NOT RELIEVE LAW ENFORCEMENT AND EMERGENCY RESPONDERS OF THEIR LEGAL RESPONSIBILITIES TO RESPOND TO MEDICAL EMERGENCIES AND CRIMINAL CONDUCT, AND FOR OTHER PURPOSES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3083 (COUNCIL\BH\3083C002.BH.VR15), which was adopted:

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

/ SECTION 1. Title 44 of the 1976 Code is amended by adding:

“CHAPTER 130

South Carolina Overdose Prevention Act

 Section 44‑130‑10. This chapter may be cited as the ‘South Carolina Overdose Prevention Act’.

 Section 44‑130‑20. For purposes of this chapter:

 (1) ‘Caregiver’ means a person who is not at risk of an opioid overdose but who, in the judgment of a physician, may be in a position to assist another individual during an overdose and who has received patient overdose information as required by Section 44‑130‑30 on the indications for and administration of an opioid antidote.

 (2) ‘Department’ means the Department of Health and Environmental Control.

 (3) ‘Drug overdose’ means an acute condition including, but not limited to, physical illness, coma, mania, hysteria, or death resulting from the consumption or use of a controlled substance or other substance with which a controlled substance was combined and that a layperson would reasonably believe to require medical assistance.

 (4) ‘First responder’ means an emergency medical services provider, a law enforcement officer, or a fire department worker directly engaged in examining, treating, or directing persons during an emergency.

 (5) ‘Medical assistance’ means professional medical services that are provided to a person experiencing a drug overdose.

 (6) ‘Opioid antidote’ means naloxone hydrochloride or other similarly acting drug approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

 (7) ‘Pharmacist’ means an individual licensed pursuant to Chapter 43, Title 40 to engage in the practice of pharmacy.

 (8) ‘Prescriber’ means a physician licensed pursuant to Chapter 47, Title 40, an advanced practice registered nurse licensed pursuant to Chapter 33, Title 40 and prescribing in accordance with the requirements of that chapter, and a physician assistant licensed pursuant to Article 7, Chapter 47, Title 40 and prescribing in accordance with the requirements of that article.

 Section 44‑130‑30. (A) A prescriber acting in good faith and exercising reasonable care as a prescriber may issue a written prescription for an opioid antidote to:

 (1) a person who is at risk of experiencing an opioid‑related overdose; or

 (2) a caregiver for a person who is at risk of experiencing an opioid overdose whom the prescriber has not personally examined.

 (B)(1) The prescriber must provide to the person or the caregiver overdose information addressing the following:

 (a) opioid overdose prevention and recognition;

 (b) opioid antidote dosage and administration;

 (c) the importance of calling 911 emergency telephone service for medical assistance with an opioid overdose; and

 (d) care for an overdose victim after administration of the opioid antidote.

 (2) The prescriber must document in the medical record that the opioid overdose information required by this subsection has been provided to the person or the caregiver.

 (C) A prescriber acting in good faith and exercising reasonable care may issue a standing order for a first responder to possess an opioid antidote for administration to a person whom the first responder believes to be experiencing an opioid‑related overdose.

 (D) A prescriber who issues a written prescription or a standing order for an opioid antidote in accordance with the provisions of this section is not as a result of an act or omission subject to civil or criminal liability or to professional disciplinary action.

 Section 44‑130‑40. (A) A pharmacist acting in good faith and exercising reasonable care as a pharmacist may dispense an opioid antidote pursuant to a written prescription or standing order by a prescriber.

 (B) A pharmacist dispensing an opioid antidote in accordance with the provisions of this section is not as a result of an act or omission subject to civil or criminal liability or to professional disciplinary action.

 Section 44‑130‑50. (A) A caregiver may in an emergency administer, without fee, an opioid antidote to a person whom the caregiver believes in good faith is experiencing an opioid overdose if the caregiver has received the opioid overdose information provided for in Section 44‑130‑30.

 (B) A caregiver who administers an opioid antidote in accordance with the provisions of this section is not subject to civil or criminal liability.

 Section 44‑130‑60. (A) A first responder may administer an opioid antidote in an emergency if the first responder believes in good faith that the person is experiencing an opioid overdose.

 (B) The first responder must comply with all applicable requirements for possession, administration, and disposal of the opioid antidote and administration device. The department may promulgate regulations to implement this section, including appropriate training for first responders who carry or have access to an opioid antidote.

 (C) A first responder who administers an opioid antidote in accordance with the provisions of this section to a person whom the first responder believes in good faith is experiencing an opioid overdose is not by an act or omission subject to civil or criminal liability or to professional disciplinary action.”

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

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER 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 91; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bannister | Bingham | Bradley |
| Brannon | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cole | Collins | Corley |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Hayes | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Murphy | Nanney | Newton |
| Norman | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Ryhal |
| Sandifer | Simrill | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Yow |  |  |

**Total--91**

 Those who voted in the negative are:

**Total--0**

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

**H. 3979--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3979 -- Reps. Tallon, Bannister, Clary, Quinn, Loftis, Mitchell, Sottile, Collins, Burns, M. S. McLeod, Kennedy, Yow, 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, Willis, G. M. Smith, Pitts, Robinson-Simpson and Ballentine: 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.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3979 (COUNCIL\MS\3979C001.MS.AHB15), which was tabled:

Amend the bill, as and if amended, SECTION 4, Page 3, by deleting section 2‑19‑70(A) and inserting:

/ “(A) ~~No~~ A member of the General Assembly may not be elected to a judicial office while he is serving in the General Assembly nor shall that person be elected to a judicial office for a period of one year after he either:

 (1) ceases to be a member of the General Assembly; or

 (2) fails to file for election to the General Assembly in accordance with Section 7‑11‑15.

 Provided, however, a member of the General Assembly is not ineligible to be elected to an at‑large judicial office.”/

Amend the bill further, Page 6, after Line 9, by adding an appropriately numbered SECTION TO READ:

/ SECTION \_\_. Section 1‑23‑525 of the 1976 Code is repealed. /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

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

Rep. QUINN proposed the following Amendment No. 2 to H. 3979 (COUNCIL\MS\3979C002.MS.AHB15), which was ruled out of order:

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

/ SECTION \_\_. Section 14‑1‑215 of the 1976 Code, as last amended by Act 391 of 1996, is further amended to read:

 “Section 14‑1‑215. (A) A retired judge or justice from the Supreme Court, court of appeals, or circuit court of this State may be assigned by the Chief Justice of the Supreme Court to preside over any official proceeding in any circuit court of this State. A retired judge or justice from the Supreme Court or court of appeals of this State may be assigned by the Chief Justice of the Supreme Court to act as an associate justice or judge in any proceeding before the Supreme Court or court of appeals. A retired judge from the family court of this State may be assigned by the Chief Justice of the Supreme Court to preside over any official proceeding in any family court of this State.

 (B) In order to be eligible to be appointed by the Chief Justice to serve, any retired justice or judge of this State must have been reviewed in the manner provided in Section 2‑19‑10 et seq. and found by the commission to be qualified to serve in these situations within two years of the date of his appointment to serve, except that if a justice or judge retired before the expiration of his then current term, no further review of that justice or judge is required until that term would have expired.

 (C) In addition to judicial screening requirements for retired judges and justices pursuant to the provisions of Chapter 19, Title 2, a retired judge or justice appointed by the Chief Justice of the Supreme Court to preside over a proceeding before a circuit or family court or to act as an associate justice in a proceeding before the Supreme Court or Court of Appeals also must be confirmed every two years by the General Assembly meeting in joint session. The Judicial Merit Selection Commission shall set the schedule for these confirmations to coincide with the commission’s findings that a retired judge or justice is qualified to continue to serve in this capacity.” /

Renumber sections to conform.

Amend title to conform.

Rep. QUINN explained the amendment.

**POINT OF ORDER**

Rep. MURPHY raised the Point of Order that under Rule 9.3, Amendment No. 2 to H. 3979 was out of order in that it was not germane to the Bill.

Rep. QUINN spoke against the Point.

Rep. MURPHY spoke in favor of the Point.

SPEAKER LUCAS sustained the Point of Order and stated that Amendment No. 2 was not germane. The SPEAKER stated that the Bill involved the number of candidates that can be reported out by the JMSC; however, the amendment required retired judges to be screened and confirmed by the General Assembly. He stated that Amendment No. 2 went beyond the scope of the bill. He sustained the Point of Order and ruled Amendment No. 2 out of order.

Reps. NEWTON, BANNISTER, COLE, MCCOY, MURPHY and POPE proposed the following Amendment No. 4 to H. 3979 (COUNCIL\MS\3979C005.MS.AHB15), which was ruled out of order:

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

/ SECTION \_\_. Section 2‑19‑10(B) of the 1976 Code is amended to read:

 “(B) Notwithstanding any other provision of law, the Judicial Merit Selection Commission shall consist of the following individuals:

 (1) five members appointed by the Speaker of the House of Representatives and of these appointments:

 (a) three members must be serving members of the General Assembly; and

 (b) two members must be selected from the general public;

 (2) three members appointed by the Chairman of the Senate Judiciary Committee and two members appointed by the President *Pro Tempore* of the Senate and of these appointments:

 (a) three members must be serving members of the General Assembly; and

 (b) two members must be selected from the general public; and

 (3) three members appointed by the Governor who must be selected from the general public.” /

Renumber sections to conform.

Amend title to conform.

Rep. NEWTON explained the amendment.

**POINT OF ORDER**

Rep. QUINN raised the Point of Order that under Rule 9.3, Amendment No. 4 to H. 3979 was out of order in that it was not germane to the Bill.

Rep. NEWTON spoke against the Point.

SPEAKER LUCAS sustained the Point of Order and stated that Amendment No. 4 was not germane. He stated that the amendment went beyond the scope of the bill. Therefore, he sustained the Point of Order and ruled Amendment No. 4 out of order.

Rep. BANNISTER explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 100; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bingham | Bowers | Bradley |
| Brannon | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Govan | Hamilton | Hardee |
| Hardwick | Hayes | Henderson |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | V. S. Moss | Murphy |
| Nanney | Neal | Newton |
| Norman | Ott | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Ryhal |
| Sandifer | Simrill | G. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--100**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Goldfinch |  |  |

**Total--1**

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

**H. 4012--DEBATE ADJOURNED**

Rep. BANNISTER moved to adjourn debate upon the following Bill, which was adopted:

H. 4012 -- Rep. Funderburk: A BILL TO AMEND SECTION 4-9-82, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF ASSETS BY A HOSPITAL PUBLIC SERVICE DISTRICT, SO AS TO PROVIDE THAT THE TERM "TRANSFER" DOES NOT INCLUDE ENTRY INTO A LEASE OR A MANAGEMENT AGREEMENT BY A HOSPITAL PUBLIC SERVICE DISTRICT.

**H. 3766--RECOMMITTED**

The following Bill was taken up:

H. 3766 -- Reps. G. M. Smith, Weeks and Rivers: A BILL TO AMEND ARTICLE 23, CHAPTER 17, TITLE 63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT, SO AS TO ENACT AMENDMENTS TO THAT ACT ADOPTED BY THE NATIONAL CONFERENCE OF COMMISSIONERS FOR UNIFORM STATE LAWS IN 2008, AS REQUIRED BY THE FEDERAL "PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT" INCLUDING, BUT NOT LIMITED TO, AMENDMENTS ADDRESSING INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FAMILY MAINTENANCE AND DETERMINATION OF PARENTAGE.

Rep. MCCOY moved to recommit the Bill to the Committee on Judiciary, which was agreed to.

**H. 3799--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3799 -- Reps. Hixon, Simrill, Taylor, Loftis, Burns, Brannon, Spires, Yow, Clemmons, Riley, Corley, Collins, Clary, Hosey, Clyburn, King, Hicks, Knight, Bradley, Jefferson, Kirby, Huggins, Duckworth, Kennedy, Hamilton, Hardee, Johnson, Murphy, Felder, Alexander, Atwater, Ballentine, Bedingfield, Bowers, Cobb-Hunter, Daning, Delleney, Dillard, Forrester, Funderburk, Gagnon, Gambrell, Hiott, Howard, Lowe, W. J. McLeod, V. S. Moss, Nanney, Norman, Ott, Pitts, Pope, Ridgeway, Ryhal, G. R. Smith, Tallon, Thayer, Toole, Weeks, Wells, White, Willis, Chumley and Rivers: A BILL TO AMEND SECTION 23-31-215, AS AMENDED, CODE OF LAWS, 1976, OF SOUTH CAROLINA, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO PROVIDE THAT SOUTH CAROLINA SHALL RECOGNIZE CONCEALED WEAPON PERMITS ISSUED BY GEORGIA AND NORTH CAROLINA UNDER CERTAIN CIRCUMSTANCES.

Rep. MCCOY explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 101; Nays 5

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bernstein | Bingham | Bowers |
| Bradley | Brannon | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Hayes | Henderson |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | V. S. Moss | Murphy |
| Nanney | Newton | Norman |
| Ott | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. R. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--101**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Dillard | Gilliard |
| Henegan | Robinson-Simpson |  |

**Total--5**

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

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

**RECURRENCE TO THE MORNING HOUR**

Rep. J. E. SMITH moved that the House recur to the morning hour, which was agreed to.

**H. 3878--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill, which was adopted:

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.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. V. S. MOSS a leave of absence for the remainder of the day.

**H. 4012--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4012 -- Rep. Funderburk: A BILL TO AMEND SECTION 4-9-82, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF ASSETS BY A HOSPITAL PUBLIC SERVICE DISTRICT, SO AS TO PROVIDE THAT THE TERM "TRANSFER" DOES NOT INCLUDE ENTRY INTO A LEASE OR A MANAGEMENT AGREEMENT BY A HOSPITAL PUBLIC SERVICE DISTRICT.

Rep. BANNISTER explained the Bill.

Rep. FUNDERBURK proposed the following Amendment No. 1 to H. 4012 (COUNCIL\NBD\4012C001.NBD.CZ15):

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

/ SECTION 1. Section 4‑9‑82 of the 1976 Code, as last amended by Act 94 of 1999, is further amended by adding an appropriately numbered subsection at the end to read:

 “( ) Notwithstanding any other provision of law, the provisions of this section do not apply to any transaction that includes the hospital public service district’s entry into a lease of any or all of its real property associated with the delivery of hospital services regardless of:

 (a) the length of the term of the real property lease, or

 (b) whether or not the transaction also includes the sale or lease of other assets of the district.”

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

Renumber sections to conform.

Amend title to conform.

Rep. FUNDERBURK explained the amendment.

Reps. TALLON, MURPHY, MCEACHERN, RIVERS, ERICKSON, JEFFERSON, FORRESTER, TOOLE, CLARY, HIOTT, QUINN, CROSBY and MERRILL requested debate on the Bill.

**H. 3156--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3156 -- Reps. J. E. Smith, Cobb-Hunter, Whipper, Weeks and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 15, TITLE 63 ENACTING THE "UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT" SO AS TO ADDRESS ISSUES OF CUSTODIAL RESPONSIBILITY WHEN A PARENT IN THE UNIFORMED SERVICE IS BEING DEPLOYED; TO PROVIDE THAT A COURT MUST HAVE JURISDICTION PURSUANT TO THE UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT TO ISSUE AN ORDER UNDER THIS ARTICLE; TO REQUIRE PROMPT NOTICE OF DEPLOYMENT TO THE OTHER PARENT; TO PROVIDE THAT THE CUSTODIAL RESPONSIBILITIES OF A DEPLOYING PARENT MAY BE ASSIGNED FOR THE DURATION OF THE DEPLOYMENT BY A TEMPORARY AGREEMENT ENTERED INTO BY THE PARENTS OR WITH THE DEPLOYING PARENT'S CONSENT, BY A COURT ISSUING A TEMPORARY ORDER GRANTING CUSTODIAL RESPONSIBILITIES AND TO FURTHER PROVIDE CERTAIN REQUIREMENTS AND LIMITATIONS OF AN AGREEMENT OR COURT ORDER; TO PROVIDE FOR THE TERMINATION OF A TEMPORARY AGREEMENT OR A TEMPORARY ORDER; TO PROVIDE THAT THIS ARTICLE SUPERSEDES THE FEDERAL ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT, EXCEPT CERTAIN PROVISIONS IN THAT ACT; AND TO PROVIDE THAT THIS ARTICLE DOES NOT AFFECT THE VALIDITY OF A TEMPORARY COURT ORDER CONCERNING CUSTODIAL RESPONSIBILITY DURING DEPLOYMENT ENTERED BEFORE THIS ARTICLE'S EFFECTIVE DATE.

Rep. J. E. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 103; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atwater |
| Bales | Ballentine | Bamberg |
| Bannister | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Chumley |
| Clary | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| Murphy | Nanney | Newton |
| Norman | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--103**

 Those who voted in the negative are:

**Total--0**

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

**H. 3548--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. J. E. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 105; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atwater |
| Bales | Ballentine | Bamberg |
| Bannister | 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 | Hayes | Henderson |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | Murphy | Nanney |
| Newton | Norman | Ott |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--105**

 Those who voted in the negative are:

**Total--0**

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

**H. 3215--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3215 -- Reps. Govan, Robinson-Simpson and Willis: A JOINT RESOLUTION TO CREATE A STUDY COMMITTEE TO REFORM ALIMONY, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE AND THE METHOD OF APPOINTMENT OF MEMBERS, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO INCLUDE A SUNSET PROVISION FOR THE STUDY COMMITTEE.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3215 (COUNCIL\BBM\3215C001.BBM.SA15), which was adopted:

Amend the joint resolution, as and if amended, by striking all the enacting words and inserting:

/ SECTION 1. (A) There is created the Alimony Reform Study Committee to study the alimony laws of this State including, but not limited to, the length of time alimony is awarded, the amount of alimony awarded, the consistency of alimony awarded, and the factors and circumstances surrounding the awards.

 (B) The study committee must be composed of:

 (1) three members of the House of Representatives appointed by the Chairman of the House Judiciary Committee; and

 (2) three members of the Senate appointed by the Chairman of the Senate Judiciary Committee.

 (C) The study committee shall prepare a report for the General Assembly that sets forth findings and recommendations relevant to the purposes of the study committee and provide its report to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.

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

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Joint Resolution.

The yeas and nays were taken resulting as follows:

 Yeas 96; Nays 10

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bales |
| Ballentine | Bamberg | Bannister |
| Bernstein | Bingham | Bowers |
| Bradley | R. L. Brown | Burns |
| Clary | Clemmons | Clyburn |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Jordan | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | Murphy | Nanney |
| Newton | Norman | Ott |
| Parks | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Tinkler | Weeks |
| Wells | Whipper | Whitmire |
| Williams | Willis | Yow |

**Total--96**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Brannon | Chumley |
| Hill | Johnson | McEachern |
| Pitts | Putnam | Toole |
| White |  |  |

**Total--10**

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

**H. 3248--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3248 -- Reps. Ryhal, Hardwick, Long, M. S. McLeod, Felder and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 28 TO TITLE 27 SO AS TO PROVIDE REQUIREMENTS CONCERNING THE GOVERNANCE OF HOMEOWNERS ASSOCIATIONS, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE HOMEOWNERS ASSOCIATIONS MUST REGISTER WITH THE REAL ESTATE COMMISSION AND FILE COPIES OF ITS GOVERNING DOCUMENTS WITH THE CLERK OF COURT, REGISTER OF DEEDS, AND THE COMMISSION, TO PROVIDE HOMEOWNERS ASSOCIATIONS OTHERWISE ALSO MUST MAKE ITS GOVERNING DOCUMENTS AVAILABLE TO THE PUBLIC AND PROSPECTIVE BUYERS IN A CERTAIN MANNER, TO PROVIDE MECHANISMS FOR THE AUTOMATIC TRANSFER OF CONTROL OF PROPERTY GOVERNED BY A HOMEOWNERS ASSOCIATION FROM THE DECLARANT TO AN ELECTED BOARD OF THE HOMEOWNERS, TO PROVIDE RELATED NOTICE REQUIREMENTS, TO PROVIDE TRAINING REQUIREMENTS FOR HOMEOWNERS ASSOCIATION BOARD MEMBERS, TO PROVIDE HOMEOWNERS MAY INSPECT CERTAIN ASSOCIATION DOCUMENTS, TO PROVIDE HOMEOWNERS ASSOCIATIONS MUST PROVIDE CERTAIN NOTICE FOR BOARD MEETINGS, TO PROVIDE THAT HOMEOWNERS ASSOCIATIONS MAY NOT PLACE A LIEN AGAINST THE PROPERTY OF A HOMEOWNER OR OTHERWISE FINE OR ASSESS COSTS AGAINST A HOMEOWNER WITHOUT FIRST GIVING THE HOMEOWNER A HEARING BEFORE THE BOARD, AND TO PROVIDE HOMEOWNERS OR HOMEOWNERS ASSOCIATIONS MAY SEEK FROM MAGISTRATES COURT EQUITABLE RELIEF TO ENFORCE THE PROVISIONS OF THIS CHAPTER, AND TO PROVIDE THAT THE PREVAILING PARTY IN SUCH AN ACTION MAY RECOVER REASONABLE ATTORNEY'S FEES AND RELATED COSTS; AND BY ADDING SECTION 40-57-63 SO AS TO IMPOSE RELATED POWERS AND DUTIES ON THE REAL ESTATE COMMISSION, AND TO DEFINE NECESSARY TERMINOLOGY.

Reps. RYHAL, SANDIFER and FORRESTER proposed the following Amendment No. 2 to H. 3248 (COUNCIL\AGM\3248C004. AGM.AB15), which was adopted:

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

/ SECTION 1. (A) There is created the “Study Committee on Homeowners Associations” to review laws, policies, practices, and procedures regarding homeowners associations in this State and other jurisdictions, and to make recommendations to the General Assembly regarding proposals for South Carolina’s statutory law. The Study Committee shall review information, including, but not limited to, case law, statutes, uniform laws, and other information from South Carolina and other jurisdictions concerning homeowners associations. Specifically, the Study Committee is authorized, but not limited to, reporting on the following issues:

 (1) disclosure of governing documents to prospective buyers;

 (2) education for homeowners and board members;

 (3) manager certification or licensing;

 (4) time period for developer control of an association; and

 (5) need for a comprehensive or uniform planned community act.

 (B) The Study Committee must be composed of thirteen members:

 (1) two members of the Senate, appointed by the Senate Labor, Commerce and Industry Chairman;

 (2) two members of the House of Representatives, appointed by the House Labor, Commerce and Industry Chairman;

 (3) the following members jointly selected by the Senate Labor, Commerce and Industry Chairman and House Labor, Commerce and Industry Committee Chairman:

 (a) two property owners who are:

 (i) required to be members of a homeowners association due to owning property in the homeowners association; and

 (ii) governed by a homeowners association board;

 (b) two lawyers, one representing homeowners associations and boards and the other representing homeowners, based upon recommendations of the South Carolina Bar;

 (c) two managers, one in favor of certification or licensing and one opposed to certification or licensing, based upon the recommendations of the Community Association Institute and the Home Builders Association;

 (d) one developer, based upon the recommendations of the Home Builders Association; and

 (4) the administrator for the Department of Consumer Affairs and the Director for the Department of Labor, Licensing and Regulations, or their designees, serving ex officio.

 (C) Vacancies in the Study Committee’s membership must be filled for the remainder of the unexpired term in the manner of original appointment.

 (D) The Chairmen of the Senate and House Labor, Commerce and Industry Committees shall provide appropriate staffing for the Study Committee.

 (E) The Study Committee shall make a report of its recommendations to the General Assembly by December 31, 2015, at which time the Study Committee must be dissolved.

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

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 88; Nays 14

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bernstein | Bingham | Bowers |
| Bradley | R. L. Brown | Burns |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gambrell | George | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Hart | Hayes |
| Henegan | Herbkersman | Hicks |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McEachern | M. S. McLeod |
| W. J. McLeod | Murphy | Newton |
| Norman | Ott | Parks |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Simrill |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Tinkler | Toole | Weeks |
| Wells | Whipper | Willis |
| Yow |  |  |

**Total--88**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Brannon | Chumley | Cole |
| Gagnon | Henderson | Hill |
| McCoy | Merrill | Nanney |
| Pitts | Putnam | G. R. Smith |
| Thayer | White |  |

**Total--14**

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

**H. 3851--RECOMMITTED**

The following Bill was taken up:

H. 3851 -- Reps. G. M. Smith and Horne: A BILL TO AMEND SECTION 44-89-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHAPTER DEFINITIONS, SO AS TO CHANGE DEFINITIONAL TERMS; AND TO AMEND SECTION 44-89-60, RELATING TO REGULATION OF BIRTH CENTERS, SO AS TO REQUIRE BIRTH CENTERS TO BE ACCREDITED AND TO COMPLY WITH STATE STATUTES AND REGULATIONS, TO REQUIRE BIRTHS PLANNED TO OCCUR AT BIRTH CENTERS TO BE EVALUATED BY PROFESSIONAL STAFF TO ASSESS FOR RISK STATUS AND TO DOCUMENT EVALUATIONS IN CLIENT FILES, TO ADDRESS PROFESSIONAL REQUIREMENTS FOR STAFF MEMBERS WHO PROVIDE PATIENT CARE, TO REQUIRE DEVELOPMENT OF GUIDELINES, POLICIES AND PROCEDURES ADDRESSING, AMONG OTHER PRACTICES, THE TRANSFER OF CLIENTS TO HOSPITALS, TO REQUIRE BIRTH CENTERS TO COLLECT AND REPORT DATA, AND TO ESTABLISH A DEADLINE FOR BIRTH CENTERS IN OPERATION TO BECOME ACCREDITED.

Rep. HART moved to recommit the Bill to the Committee on Medical, Military, Public and Municipal Affairs, which was agreed to.

**H. 3882--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3882 -- Reps. Gambrell, Gagnon, Putnam and Thayer: A BILL TO AMEND SECTION 59-67-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICAL EXAMINATIONS OF SCHOOL BUS DRIVERS, SO AS TO PROVIDE THE PHYSICAL MUST BE A DEPARTMENT OF TRANSPORTATION PHYSICAL THAT MEETS THE REQUIREMENTS OF THE CERTAIN FEDERAL MOTOR CARRIER SAFETY REGULATIONS IN ADDITION TO EXISTING STATE CERTIFICATION REQUIREMENTS.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3882 (COUNCIL\SWB\3882C001. SWB.CM15), which was adopted:

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

/SECTION 1. Section 59‑67‑160 of the 1976 Code, as added by Act 351 of 2006, is amended to read:

 “Section 59‑67‑160. A school bus driver shall have a physical examination that meets the requirements of the Federal Motor Carrier Safety Regulations (FMCSR), 49 C.F.R. 391.41, and meets the certification requirements of this section, certified by a ~~physician, a nurse practitioner acting within an approved protocol, or a physician assistant acting within an approved scope‑ of‑practice guideline before the testing required to operate a school bus and every two years after that. The examining physician, nurse practitioner, or physician assistant’s~~ medical examiner as defined in 49 C.F.R. 390.5. The certification must be made on forms provided by the State Department of Education or the United States Department of Transportation. The school bus driver candidate shall provide the testing administrator with the certified physical examination before taking the school bus driver physical performance test and the commercial driver’s license skills test. The school bus driver candidate shall provide a copy of the ~~physician, nurse practitioner, or physician assistant’s~~ certification to the employing school district. A school district may require additional physical examinations as the district determines to be appropriate. The State assumes no responsibility for the cost of physical examinations required by districts.”

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

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 104; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Bales | Ballentine |
| Bamberg | Bannister | 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 | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| Murphy | Nanney | Newton |
| Norman | Ott | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--104**

 Those who voted in the negative are:

**Total--0**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ANDERSON a leave of absence for the remainder of the day to attend a wake.

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

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3878--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill, which was adopted:

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.

**H. 3560--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3560 -- Reps. Limehouse, Sottile, McCoy and Spires: A BILL TO AMEND SECTION 59-25-460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE AND HEARINGS FOR DISMISSAL OF A TEACHER, SO AS TO PROVIDE THAT THE BOARD MAY DESIGNATE A HEARING OFFICER TO CONDUCT A DISMISSAL HEARING AND ISSUE A REPORT WITH RECOMMENDATIONS, TO PROVIDE RELATED REQUIREMENTS OF A HEARING OFFICER, TO PROVIDE A HEARING MUST BE PRIVATE UNLESS THE TEACHER REQUESTS IN WRITING THAT THE HEARING BE PUBLIC, TO PROVIDE THAT A NOTICE OF DISMISSAL MUST BE GIVEN BY THE SUPERINTENDENT OR HIS DESIGNEE INSTEAD OF THE SCHOOL BOARD, TO SPECIFY USE OF A COURT REPORTER TO RECORD THE PROCEEDINGS, AND TO PROVIDE AN APPEALS PROCESS.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3560 (COUNCIL\AGM\3560C001. AGM.AB15), which was adopted:

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

/ SECTION 1. Section 59‑25‑410 of the 1976 Code is amended to read:

 “Section 59‑25‑410. (A) ~~On or before April fifteenth of each year,~~ The boards of trustees of the several school districts annually before May first shall decide and notify, in writing, ~~the teachers~~ a teacher, as defined in Section 59‑1‑130, ~~in their employ~~ whom the district employs concerning ~~their employment~~ his reemployment for the ensuing year. If the ~~board, or the person designated by it,~~ superintendent fails to notify a teacher who has been employed by a school district for a majority of the current school year of his status for the ensuing year, the teacher ~~shall be deemed~~ is considered to be reemployed for the ensuing year and the board shall issue a contract to ~~such teacher~~ him as though the board had reemployed ~~such teacher~~ him in the usual manner. ~~Notices~~ Notice of ~~intent~~ the superintendent’s recommendation not to renew an employment contract ~~shall~~ must be given in writing ~~no later than April fifteenth of each year~~ before May first.

 (B) On or before August fifteenth, the superintendent, principal, where applicable, or supervisor shall notify the teacher of his tentative assignment for the ensuing school year.

 (C) This section ~~shall~~ does not apply to ~~any~~ a teacher whose contract of employment or dismissal is under appeal under Section 59‑25‑450.

 (D) For purposes of this article, ‘teacher’ means ~~all employees~~ an employee possessing a professional certificate issued by the State Department of Education, except ~~those employees~~ an employee working pursuant to ~~multi‑year contracts~~ a multiyear contract.”

SECTION 2. Section 59‑25‑420 of the 1976 Code is amended to read:

 “Section 59‑25‑420. (A) ~~Any~~ A teacher who is reemployed by written notification pursuant to Section 59‑25‑410 shall ~~by April twenty‑fifth first~~ before May eleventh notify the board of trustees in writing of his acceptance of the contract. Failure on the part of the teacher to notify the board of acceptance within the specified time limit ~~shall be~~ is conclusive evidence of the teacher’s rejection of the contract.

 (B) ~~Any~~ A teacher, receiving a notice that he will not be reemployed for the ensuing year, ~~shall have~~ has the same notice and opportunity for a hearing provided in ~~subsequent sections for teachers~~ this article for a teacher dismissed for cause during the school year.”

SECTION 3. Section 59‑25‑460 of the 1976 Code is amended to read:

 “Section 59‑25‑460. (A) ~~No~~ A teacher ~~shall~~ may not be dismissed unless written notice specifying the cause of dismissal ~~is~~ first is given the teacher by the ~~District Board of Trustees~~ superintendent and the teacher is given an opportunity for ~~a~~ an evidentiary hearing ~~has been afforded the teacher~~. The superintendent or his designee may meet with the teacher before issuing a notice of dismissal to discuss alternative resolutions. The parties attending this meeting must have the option of having a representative present. ~~Such~~ This written notice ~~shall~~ must include the fact that a hearing before the board or its designee is available to the teacher upon request ~~provided, such~~ if the request is made in writing within fifteen days as ~~prescribed by~~ provided in Section 59‑25‑470. Any such hearing ~~shall~~ must be public unless the teacher requests in writing that it be private. A board that chooses to delegate the evidentiary hearing to one or more designees, as provided in this section, shall indicate in board policy that it engages in this practice. The hearing process becomes effective when the board adopts the policy, and must be communicated to all affected employees within fifteen days. A subsequent change only may be made pursuant to the board policy revision process.

 (B)(1) If the board chooses to delegate the evidentiary hearing to a designee, the designee must be:

 (a) an attorney licensed to practice law in this State;

 (b) certified by the South Carolina Supreme Court as a mediator or arbitrator; and

 (c) designated by the board to hear all evidentiary hearings in the district for the school year, except when:

 (i) both parties consent to use an alternate hearing officer; or

 (ii) the district uses more than one designee, in which case the parties may by mutual consent select one of these designees for their hearing or, if they fail to reach such an agreement, the board randomly shall select one of its designees for the hearing.

 (2) If the designee holds the evidentiary hearing, he shall issue a written report and recommendation containing findings of facts and conclusions of law to the board, superintendent, and teacher within fifteen days after the hearing concludes. The superintendent and the teacher may submit a written response to this report and recommendation to the board within ten days after the date on which the report and recommendation are issued, after which the board shall issue a decision affirming or withdrawing the notice of suspension or dismissal within thirty days. In the interim, the board may conduct a hearing on the order to consider any written responses from the superintendent and teacher, but this hearing may not operate to extend the thirty day limit in which the board shall issue its decision affirming or withdrawing the notice of suspension or dismissal. The board retains final decision‑making authority regarding the teacher dismissal or suspension recommendation based on its consideration of the record, the report and recommendation, and any written submission of the superintendent and teacher.

 (C) If the board holds the evidentiary hearing, the board shall issue its decision within the thirty days after the hearing. This decision must be in writing and must include findings of facts and conclusions of law.

 (D) The board shall determine if the evidence shows good and just cause for the notice of suspension or dismissal, and accordingly shall render a decision to affirm or withdraw the notice of suspension or dismissal.

 (E) The District Board of Trustees as provided in subsection (C), or its designee, as provided in subsection (B), may issue subpoenas requiring the attendance of witnesses at ~~any~~ the hearing and, at the request of the teacher against whom a charge is made, shall issue ~~such~~ these subpoenas, but it may limit the number of these witnesses to ~~be subpoenaed in behalf of the teacher to not more than~~ ten. ~~All~~ Testimony at ~~any~~ a hearing ~~shall~~ must be taken under oath. ~~Any~~ A member of the board, or its designee, may administer oaths to witnesses. The board, or its designee, shall cause a record of the proceedings to be kept and shall employ a competent reporter to take stenographic or stenotype notes of all ~~of the~~ testimony.

 (F) If the board’s decision is favorable to the teacher, the board shall pay the cost of the reporter’s attendance and services at the hearing. If the decision is unfavorable to the teacher, one‑half of the cost of the reporter’s attendance and services ~~shall~~ must be borne by the teacher. ~~Either~~ A party desiring a transcript of the hearing ~~shall~~ must pay for the costs ~~thereof~~ of obtaining the transcript.”

SECTION 4. Section 59‑25‑470 of the 1976 Code is amended to read:

 “Section 59‑25‑470. (A) Within fifteen days after receipt of notice of suspension or dismissal, a teacher may serve upon the chairman of the board or the superintendent a written request for a hearing before the board, or its designee.

 (B) If the teacher fails to make such a request, or after a hearing as ~~herein~~ provided ~~for~~ in this article, the ~~District~~ board ~~of Trustees~~ shall take ~~such~~ action and shall enter ~~such~~ an order as it ~~deems~~ considers lawful and appropriate.

 (C) The hearing ~~shall~~ must be held by the board ~~not less than ten nor more than fifteen~~, or its designee, within forty‑five days after the request is served~~, and~~. A notice of the time and place of the hearing ~~shall~~ must be given the teacher not less than five days ~~prior to~~ before the date of the hearing.

 (D) The teacher ~~has the privilege of being~~ may be present ~~at the hearing~~ with counsel ~~and of cross‑examining~~ at the hearing, and may cross‑examine witnesses ~~and~~, may offer evidence and witnesses, and present ~~any and all~~ defenses to the charges. Hearsay otherwise inadmissible under the South Carolina Rules of Evidence only may be considered if corroborated and found reliable by the board or its designee; provided, however, that no factual finding may be based solely on hearsay. The board, or its designee, shall order the appearance of any witness requested by the teacher, subject to the limitations of Section 59‑25‑460. The ~~complainants~~ superintendent shall initiate the introduction of evidence in substantiation of the charges. ~~Within ten days following the hearing, the board shall determine whether the evidence showed good and just cause for the notice of suspension or dismissal and shall render its decision accordingly, either affirming or withdrawing the notice of suspension or dismissal.~~”

SECTION 5. Section 59‑25‑480 of the 1976 Code is amended to read:

 “Section 59‑25‑480. (A) The decision of the district board of trustees ~~shall be~~ is final, unless within thirty days ~~thereafter~~ afterward an appeal is made to the ~~court of common pleas of any county in which the major portion of such district lies~~ Administrative Law Court (ALC).

 (B) ~~Notice of the appeal and the grounds thereof shall be filed with the district board of trustees. The district board shall, within thirty days thereafter, file a certified copy of the transcript record with the clerk of such court.~~ An appeal to the ALC must be taken in accordance with Section 1‑23‑600(D) and the appellate rules of procedure for the ALC. ~~Any~~ An appeal from the order of the ~~circuit court shall~~ ALC must be taken in the manner provided by the South Carolina Appellate Court Rules. If the decision of the board is reversed on appeal, ~~on a motion of either party~~ the ~~trial court~~ ALC shall order reinstatement and ~~shall~~ determine the amount for which the board ~~shall be~~ is liable for actual damages and court costs if either party moves for this relief. ~~In no event shall any~~ Liability may not extend beyond two years ~~from~~ after the effective date of dismissal. ~~Amounts~~ An amount earned or ~~amounts~~ earnable with reasonable diligence by the person wrongfully suspended ~~shall~~ must be deducted from any back pay.”

SECTION 6. Section 59‑25‑490 of the 1976 Code is amended to read:

 “Section 59‑25‑490. ~~Any~~ A party to ~~such proceedings may cause to be taken the depositions of witnesses~~ a proceeding conducted pursuant to this chapter may depose a witness within or without the State and either by commission or de bene esse. ~~Such depositions shall~~ The deposition must be taken ~~in accordance with~~ pursuant and subject to the same provisions, conditions, and restrictions ~~as~~ that apply to ~~the~~ taking of ~~like~~ similar depositions in ~~civil~~ actions ~~at law~~ brought in the court of common pleas~~; and~~. The same rules with respect to the giving of notice to the opposite party, the taking and transcribing of testimony, the transmission and certification ~~thereof~~ of them and matters of practice relating ~~thereto shall~~ to them apply.”

SECTION 7. Section 59‑25‑520 of the 1976 Code is amended to read:

 “Section 59‑25‑520. The ~~court of common pleas~~ ALC shall, on application of the district board, enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and records ~~and shall have the power to punish as for contempt of court, by a fine or imprisonment or both,~~. The unexcused failure or refusal to attend and give testimony or produce books, papers, and records as ~~may have been~~ required ~~in any~~ by subpoena issued by the district board must be considered contempt of court by the ALC, punishable by a fine, imprisonment, or both, by the court. The district board may issue to the sheriff of the county in which ~~any~~ a hearing is held a warrant requiring him to produce at the hearing any witness who ~~shall have~~ has ignored or failed to comply with ~~any~~ a subpoena issued by the district board and duly served upon ~~such~~ the witness. ~~Such a~~ This warrant ~~shall~~ must authorize the sheriff to arrest the witness and produce at the hearing ~~such witness~~, and it ~~shall be his~~ is the duty of the sheriff to do so~~; but~~. The failure of a witness ~~so~~ to appear in response to ~~any such~~ a subpoena may be excused on the same grounds as provided by law in the courts of this State ~~as to~~ regarding the attendance of witnesses and jurors.”

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. FELDER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 96; Nays 3

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bernstein | Bingham |
| Bowers | Brannon | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Daning | Delleney |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Hicks |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Johnson |
| Jordan | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Murphy |
| Nanney | Newton | Norman |
| Ott | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--96**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Hill | Jefferson | Robinson-Simpson |

**Total--3**

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

**S. 154--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Thursday, April 30, which was adopted:

S. 154 -- Senators Shealy and Campsen: A BILL TO AMEND SECTION 59-39-160 OF THE 1976 CODE, RELATING TO ELIGIBILITY TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES, TO PROVIDE THE STATE BOARD OF EDUCATION MAY GRANT A WAIVER OF THE REQUIREMENTS IF A STUDENT'S INELIGIBILITY TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES IS DUE TO A LONG-TERM ABSENCE AS A RESULT OF A MEDICAL CONDITION, BUT THE STUDENT HAS BEEN MEDICALLY CLEARED TO PARTICIPATE OR FOR ANY OTHER REASONABLE CIRCUMSTANCE AS DETERMINED BY THE STATE BOARD OF EDUCATION.

**S. 391--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 391 -- Senators Young, Massey, Turner, Thurmond, Johnson, McElveen, Shealy, Hembree, Cromer, Setzler, Alexander, Davis and Scott: A BILL TO AMEND SECTION 59-112-50 OF THE 1976 CODE, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN-STATE TUITION RATES, AND TO DEFINE RELATED TERMINOLOGY.

Rep. DANING proposed the following Amendment No. 1 to S. 391 (COUNCIL\AGM\391C001.AGM.AB15), which was adopted:

Amend the bill, as and if amended, Section 59‑112‑50(C)(2)(a), as contained in SECTION 1, by deleting the subitem in its entirety and inserting:

/ (a) a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within ten years of discharge; or /

Renumber sections to conform.

Amend title to conform.

Rep. DANING 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 106; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | 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 | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | Murphy | Nanney |
| Newton | Norman | Ott |
| Parks | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--106**

 Those who voted in the negative are:

**Total--0**

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

**H. 3549--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. WILLIS explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 92; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bales | Bamberg | Bannister |
| Bernstein | Bingham | Bowers |
| Bradley | Brannon | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Delleney |
| Douglas | Duckworth | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Hart | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Knight | Limehouse | Loftis |
| Lowe | Lucas | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Murphy |
| Newton | Norman | Ott |
| Parks | Pitts | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Ryhal | Sandifer |
| G. M. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--92**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Nanney |  |  |

**Total--1**

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

**S. 358--DEBATE ADJOURNED**

Rep. DANING moved to adjourn debate upon the following Bill, which was adopted:

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.

**H. 3794--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3794 -- Reps. Forrester, Burns, Sottile, Spires, V. S. Moss, Gambrell, Bales, Kennedy, Tallon, Allison, Bedingfield, Daning, Henderson, Hicks, Hixon, G. R. Smith and Thayer: A BILL TO AMEND SECTION 56-1-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND RENEWAL OF A DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT A FIVE YEAR DRIVER'S LICENSE MUST BE ISSUED TO A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE WHEN HE RENEWS HIS LICENSE; AND TO AMEND SECTION 56-1-220, RELATING TO VISION SCREENINGS THAT ARE REQUIRED FOR A PERSON TO RENEW HIS DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERSON TO SUBMIT A VISION SCREENING CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES DURING THE FIFTH YEAR OF A TEN YEAR DRIVER'S LICENSE, AND THE PROVISION THAT ALLOWS A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE TO OBTAIN A DRIVER'S LICENSE THAT IS VALID FOR FIVE YEARS.

Rep. WILLIS explained the Bill.

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

**H. 3911--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3911 -- Reps. Willis and Allison: A BILL TO AMEND SECTION 56-3-1230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE, CONTENT, AND PRODUCTION COSTS OF MOTOR VEHICLE LICENSE PLATES, SO AS TO REVISE THE INTERVAL IN WHICH THE DEPARTMENT OF MOTOR VEHICLES MUST REISSUE A LICENSE PLATE FROM SIX YEARS TO TEN YEARS.

Rep. WILLIS explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 94; Nays 8

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | R. L. Brown | Burns |
| Chumley | Clary | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Finlay | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Govan | Hamilton | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Murphy | Nanney |
| Newton | Ott | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Rivers |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--94**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Clemmons | Goldfinch | McCoy |
| Merrill | Riley | G. M. Smith |
| Stavrinakis | Weeks |  |

**Total--8**

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

**H. 3710--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3710 -- Reps. Hixon, Norman, Taylor, Wells, Hamilton, Atwater, Brannon, Gagnon, Corley, Ballentine, Southard, Clemmons, Delleney, Gambrell, Huggins, Kennedy, Kirby, Loftis, D. C. Moss, Pitts, Riley, Rivers, Simrill, Toole and Bedingfield: A BILL TO AMEND SECTION 12-43-225, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO PROVIDE FIVE ADDITIONAL YEARS OF ELIGIBILITY IN CERTAIN CIRCUMSTANCES.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3710 (COUNCIL\AGM\3710C001. AGM.AB15), which was adopted:

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

/ SECTION 1. Section 12‑43‑225(D) of the 1976 Code, as last amended by Act 277 of 2014, is further amended to read:

 “(D)(1) For lots which received the discount provided in subsection (B) on December 31, 2011, there is granted ~~an~~ additional ~~year of~~ eligibility for that discount in all property tax years ~~2012, 2013, 2014, and 2015~~ beginning after 2011 and before 2019, in addition to any remaining period provided for in subsection (B). If ten or more lots receiving the discount under this item are sold to a new owner primarily in the business of real estate development, the new owner may make written application within sixty days of the date of sale to the assessor for the remaining eligibility period under this item.

 (2) For lots which received the discount provided in subsection (C) after December 31, 2008, and before January 1, 2012, upon written application to the assessor no later than thirty days after mailing of the property tax bill, there is granted ~~an~~ additional ~~year of~~ eligibility for that discount in all property tax years ~~2012, 2013, 2014, and 2015~~ beginning after 2011 and before 2019. If a lot receiving the additional eligibility under this item is transferred to a new owner primarily in the business of residential development or residential construction during its eligibility period, the new owner may apply to the county assessor for the discount allowed by this item for the remaining period of eligibility, which must be allowed if the new owner applied for the discount within thirty days of the mailing of the tax bill and meets the other requirements of this section.”

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

Renumber sections to conform.

Amend title to conform.

Rep. SOTTILE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 98; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cole | Collins |
| H. A. Crawford | Crosby | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Gilliard | Goldfinch |
| Govan | Hamilton | Hardwick |
| Hayes | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Murphy | Nanney | Newton |
| Norman | Ott | Parks |
| Pitts | Pope | Putnam |
| Ridgeway | Riley | Rivers |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--98**

 Those who voted in the negative are:

**Total--0**

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

**H. 3891--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3891 -- Reps. Toole, Long, Bedingfield, J. E. Smith, Anderson, Forrester, Rutherford and Sandifer: A BILL TO AMEND SECTION 56-31-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SURCHARGES ON RENTAL OR PRIVATE PASSENGER MOTOR VEHICLES FOR THIRTY-ONE DAYS OR LESS, SO AS TO DEFINE NECESSARY TERMS, TO DELETE EXISTING SURCHARGE PROVISIONS, TO INSTEAD PROVIDE RENTAL COMPANIES ENGAGED IN THE BUSINESS OF RENTING VEHICLES FOR PERIODS OF NINETY DAYS OR LESS MAY CHARGE SEPARATELY STATED FEES WHICH MAY INCLUDE CERTAIN FEES AND TAXES, TO PROVIDE THE AMOUNT OF THE CHARGE MUST REPRESENT THE GOOD FAITH ESTIMATE BY THE MOTOR VEHICLE RENTAL COMPANY OF ITS DAILY CHARGE CALCULATED TO RECOVER ITS ACTUAL TOTAL ANNUAL RECOVERABLE COSTS, TO PROVIDE REQUIREMENTS FOR WHEN THE TOTAL AMOUNT OF THE VEHICLE LICENSE FEES COLLECTED BY A MOTOR VEHICLE RENTAL COMPANY IN ANY CALENDAR YEAR EXCEEDS THE ACTUAL COSTS OF THE CAR RENTAL COMPANY DURING THAT PERIOD, TO REQUIRE A CERTAIN DESCRIPTION OF VEHICLE LICENSE FEES IN THE VEHICLE RENTAL AGREEMENTS, AND TO PROVIDE THAT VEHICLE LICENSE FEES ARE SUBJECT TO CERTAIN SALES AND USE TAXES.

Rep. TOOLE explained the Bill.

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

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

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3878--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill, which was adopted:

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.

**S. 358--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill, which was adopted:

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.

**H. 3794--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill, which was adopted:

H. 3794 -- Reps. Forrester, Burns, Sottile, Spires, V. S. Moss, Gambrell, Bales, Kennedy, Tallon, Allison, Bedingfield, Daning, Henderson, Hicks, Hixon, G. R. Smith and Thayer: A BILL TO AMEND SECTION 56-1-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND RENEWAL OF A DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT A FIVE YEAR DRIVER'S LICENSE MUST BE ISSUED TO A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE WHEN HE RENEWS HIS LICENSE; AND TO AMEND SECTION 56-1-220, RELATING TO VISION SCREENINGS THAT ARE REQUIRED FOR A PERSON TO RENEW HIS DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERSON TO SUBMIT A VISION SCREENING CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES DURING THE FIFTH YEAR OF A TEN YEAR DRIVER'S LICENSE, AND THE PROVISION THAT ALLOWS A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE TO OBTAIN A DRIVER'S LICENSE THAT IS VALID FOR FIVE YEARS.

**H. 3891--DEBATE ADJOURNED**

Rep. TOOLE moved to adjourn debate upon the following Bill, which was adopted:

H. 3891 -- Reps. Toole, Long, Bedingfield, J. E. Smith, Anderson, Forrester, Rutherford and Sandifer: A BILL TO AMEND SECTION 56-31-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SURCHARGES ON RENTAL OR PRIVATE PASSENGER MOTOR VEHICLES FOR THIRTY-ONE DAYS OR LESS, SO AS TO DEFINE NECESSARY TERMS, TO DELETE EXISTING SURCHARGE PROVISIONS, TO INSTEAD PROVIDE RENTAL COMPANIES ENGAGED IN THE BUSINESS OF RENTING VEHICLES FOR PERIODS OF NINETY DAYS OR LESS MAY CHARGE SEPARATELY STATED FEES WHICH MAY INCLUDE CERTAIN FEES AND TAXES, TO PROVIDE THE AMOUNT OF THE CHARGE MUST REPRESENT THE GOOD FAITH ESTIMATE BY THE MOTOR VEHICLE RENTAL COMPANY OF ITS DAILY CHARGE CALCULATED TO RECOVER ITS ACTUAL TOTAL ANNUAL RECOVERABLE COSTS, TO PROVIDE REQUIREMENTS FOR WHEN THE TOTAL AMOUNT OF THE VEHICLE LICENSE FEES COLLECTED BY A MOTOR VEHICLE RENTAL COMPANY IN ANY CALENDAR YEAR EXCEEDS THE ACTUAL COSTS OF THE CAR RENTAL COMPANY DURING THAT PERIOD, TO REQUIRE A CERTAIN DESCRIPTION OF VEHICLE LICENSE FEES IN THE VEHICLE RENTAL AGREEMENTS, AND TO PROVIDE THAT VEHICLE LICENSE FEES ARE SUBJECT TO CERTAIN SALES AND USE TAXES.

**H. 3788--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3788 -- Reps. Funderburk, Taylor, McKnight, Simrill, Burns, Gilliard, Corley, Douglas, Kirby, McCoy, Bales, Atwater, Alexander, McEachern, Jefferson, Spires, Anthony, G. A. Brown, Henegan, Anderson, Bernstein, Bingham, Clemmons, Clyburn, Goldfinch, Hardwick, Hixon, Hodges, Hosey, Limehouse, Long, D. C. Moss, V. S. Moss, Murphy, Norrell, Quinn, Ridgeway, Sandifer, Stringer, Toole, Weeks, Wells, G. M. Smith and Ballentine: A BILL TO AMEND SECTION 56-28-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE ENFORCEMENT OF MOTOR VEHICLE EXPRESS WARRANTIES, SO AS TO REVISE THE DEFINITIONS OF THE TERMS "MOTOR VEHICLE" AND A "NEW MOTOR VEHICLE".

Rep. TOOLE explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 104; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | 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 | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Jordan | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Murphy |
| Nanney | Newton | Norman |
| Ott | Parks | Pitts |
| Pope | Putnam | Quinn |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--104**

 Those who voted in the negative are:

**Total--0**

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

**H. 3431--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3431 -- Rep. Sandifer: A BILL TO AMEND SECTION 6-1-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SCOPE OF AUTHORITY OF A POLITICAL SUBDIVISION TO SET MINIMUM WAGE RATES, SO AS TO PROVIDE A POLITICAL SUBDIVISION OF THIS STATE MAY NOT MANDATE OR OTHERWISE REQUIRE AN EMPLOYEE BENEFIT, AND TO DEFINE NECESSARY TERMINOLOGY.

Reps. COBB-HUNTER, SANDIFER, CLYBURN, MCEACHERN, GAMBRELL, WHITMIRE, W. J. MCLEOD, M. S. MCLEOD, HART, WILLIAMS, BERNSTEIN, J. E. SMITH, BAMBERG, R. L. BROWN, WHIPPER, GILLIARD, BRANNON, FORRESTER, HIOTT, CLARY, DILLARD, SPIRES, HIXON, PITTS, WILLIS, GAGNON and HOSEY requested debate on the Bill.

**H. 3430--REQUESTS FOR DEBATE AND POINT OF ORDER**

The following Bill was taken up:

H. 3430 -- Reps. Simrill, G. M. Smith, Felder, Pope, Weeks, Taylor, Hixon, Corley, Norrell, Ridgeway, Henderson, G. A. Brown, Long, Lucas, Brannon, Pitts, Atwater, Gagnon, Gambrell, Wells and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO SELL OR INSTALL AN UNMOUNTED, UNSAFE USED TIRE ONTO A PASSENGER CAR OR LIGHT TRUCK, TO DEFINE "UNSAFE" FOR THE PURPOSES OF THE CHAPTER, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT INSPECTIONS, TO PROVIDE A CIVIL FINE FOR EACH VIOLATION, TO PROVIDE THAT THIS CHAPTER DOES NOT LIMIT A BUSINESS OR INDIVIDUAL'S LIABILITY UNDER THE STATE'S PRODUCTS LIABILITY LAWS, AND TO EXEMPT A BUSINESS OR PERSON WHO IS SELLING TIRES FOR RETREADING.

Reps. HOWARD and MCEACHERN requested debate on the Bill.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3151--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3151 -- Rep. G. R. Smith: A BILL TO AMEND SECTION 59-29-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUISITE STUDY OF THE UNITED STATES CONSTITUTION AND OTHER TEXTS REFLECTING THE HISTORY OF THE UNITED STATES IN PUBLIC HIGH SCHOOLS AND PUBLICLY-SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT PUBLIC COLLEGES AND UNIVERSITIES MAY SATISFY THE INSTRUCTIONAL COMPONENT OF THIS REQUIREMENT BY PROVIDING AND ASSIGNING CERTAIN RELATED READING; TO AMEND SECTION 59-29-130, RELATING TO THE REQUIREMENT THAT THESE SUBJECTS BE GIVEN FOR AT LEAST ONE YEAR, SO AS TO REVISE THE REQUIREMENT FOR COLLEGES AND UNIVERSITIES; AND TO AMEND SECTION 59-29-140, RELATING TO THE ROLE OF THE STATE SUPERINTENDENT OF EDUCATION TO ENFORCE THESE STUDY REQUIREMENTS AND PRESCRIBE SUITABLE TEXTS, SO AS TO TRANSFER THESE FUNCTIONS, WITH RESPECT TO COLLEGES AND UNIVERSITIES, TO THE COMMISSION OF HIGHER EDUCATION.

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

**H. 3927--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3927 -- Reps. Willis and Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL PERSONALIZED MOTOR VEHICLE LICENSE PLATES; AND TO AMEND SECTION 56-3-2250, RELATING TO THE ISSUANCE OF SAMPLE LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT IT IS UNLAWFUL TO DISPLAY A SAMPLE LICENSE PLATE ON A MOTOR VEHICLE AND THE PENALTY ASSOCIATED WITH THIS CRIME, TO PROVIDE THAT THE DEPARTMENT MAY RETAIN THE FEE THAT IS CHARGED FOR THE ISSUANCE OF THIS LICENSE PLATE, TO PROVIDE THAT THIS DEPARTMENT MAY ISSUE SOUVENIR LICENSE PLATES FOR ANY SPECIAL ORGANIZATIONAL LICENSE PLATE THAT IT PRODUCES, AND PERSONALIZED SPECIAL ORGANIZATIONAL SOUVENIR LICENSE PLATES FOR A FEE, TO PROVIDE FOR THE DISBURSEMENT OF THE FEES, TO PROVIDE THAT THESE LICENSE PLATES MAY BE DISPLAYED ONLY ON THE FRONT OF A MOTOR VEHICLE, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3927 (COUNCIL\SWB\3927C001. SWB.CM15), which was adopted:

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

/SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 137

Special Personalized Motor Vehicle License Plates

 Section 56‑3‑13700. (A) The department may issue special personalized motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names for any special organizational plate authorized pursuant to Section 56‑3‑8000, Section 56‑3‑8100, or any other organizational plate authorized by law. In order for a specialized license plate to be personalized, the sponsoring organization, if there is one, must agree to make the license plate available for personalization. The person requesting the special personalized license plate must meet all of the requirements to obtain the specialty license plate.

 (B) The fee for all special personalized organizational license plates created pursuant to this section is the regular biennial registration fee set forth in Article 5, Chapter 3 of this title plus an additional biennial personalization fee of thirty dollars, in addition to any special fee associated with the selected plate design. The Comptroller General shall place twenty dollars of the special personalized organizational license plate fee in a special restricted account to be used by the department to defray the expenses of the department. The remaining ten dollars of the personalization fee must be distributed to the sponsoring organization. The department may not refund the fee once the personalized license plate has been manufactured.

 (C) The license plate design must be identical to the design approved by the department for the organizational license plate, but the license plate will bear the requested number or letter combination subject to approval by the department. There may be no duplication of registration license plate letter or number combinations. The department, in its discretion, may refuse the issue of letter or number combinations which may carry connotations offensive to good taste and decency.”

SECTION 2. Section 56‑3‑2250 of the 1976 Code is amended to read:

 “Section 56‑3‑2250. (A) The Department of Motor Vehicles may provide, upon request, a sample motor vehicle license plate ~~which shall not be displayed on any vehicle registered or required to be registered in this State. Any person displaying such plate is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or be imprisoned for not more than thirty days~~. The license plate shall be of the same size and general design of regular motor vehicle license plates ~~and the~~. The fee for issuance of such license plate shall be ten dollars. ~~Provided, that the word ‘sample’ shall be imprinted on the license plate.~~ The department may retain the ten dollar fee to recoup its cost for producing the license plate.

 (B)(1) The department is authorized to produce, upon request, souvenir license plates for any special organizational license plate produced pursuant to Section 56‑3‑8000 or Section 56‑3‑8100 or any other special organizational license plate authorized by law. In order for a special organizational license plate to be available as a souvenir license plate, the sponsoring organization, if there is one, must agree to make the license plate available as a souvenir license plate.

 (2) The fee for the special organizational souvenir license plate is twenty dollars. Ten dollars of this fee shall be retained by the department as specified in subsection (A), and the additional ten dollars shall be distributed to the sponsoring organization.

 (C) The department shall determine the method to designate the sample and souvenir license plates described in this section.

 (D)(1) An individual may apply for a personalized special organizational souvenir license plate with a license plate text to be selected by the applicant in a letter and numeral plate text format the department prescribes. The department, in its discretion, may refuse the issuance of letter or number combinations which may carry connotations offensive to good taste and decency.

 (2) In order for a special organizational license plate to be available as a personalized souvenir license plate, the sponsoring organization, if there is one, must agree to make the license plate available as a souvenir license plate.

 (3) The fee for the license plate contained in this subsection is thirty dollars. Twenty dollars of this fee shall be retained by the department to defray the expenses of the department. Ten dollars of this fee shall be distributed to the organization described in subsection (B).

 (E) These sample or souvenir license plates may be displayed only on the front of private passenger motor vehicles as defined in Section 56‑3‑630 or as otherwise allowed by law in the owner’s home state and shall not be displayed on the back of any vehicle registered or required to be registered in this State or as otherwise allowed by law in the owner’s home state.

 (F) Any person displaying a license plate in violation of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days for each violation.”

SECTION 3. 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 4. This act takes effect twelve months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. WILLIS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 55; Nays 43

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bales | Bamberg | Bannister |
| Bowers | Bradley | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Collins |
| Corley | Crosby | Daning |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Gagnon | Gambrell | George |
| Gilliard | Govan | Hardee |
| Hayes | Henderson | Hixon |
| Hodges | Hosey | Howard |
| Jefferson | Johnson | Jordan |
| Knight | Limehouse | Lowe |
| Lucas | McKnight | Ott |
| Parks | Pope | Putnam |
| Ridgeway | Rivers | Rutherford |
| Ryhal | Spires | Taylor |
| Thayer | Wells | Whipper |
| Willis |  |  |

**Total--55**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Ballentine | Bernstein |
| Bingham | Brannon | Cole |
| Delleney | Dillard | Funderburk |
| Goldfinch | Hamilton | Hardwick |
| Hart | Herbkersman | Hicks |
| Hill | Hiott | Horne |
| Huggins | Kennedy | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Nanney | Norman |
| Pitts | Quinn | Riley |
| Robinson-Simpson | Sandifer | Simrill |
| G. M. Smith | J. E. Smith | Sottile |
| Stavrinakis | Tallon | Tinkler |
| Weeks | White | Whitmire |
| Yow |  |  |

**Total--43**

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

**H. 3250--REQUESTS FOR DEBATE AND POINT OF ORDER**

The following Bill was taken up:

H. 3250 -- Reps. G. M. Smith, Clyburn, Merrill and Anthony: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMINOLOGY FOR THE CERTIFICATE OF NEED PROGRAM, SO AS TO ADD THE TERM "NEW AND EMERGING TECHNOLOGY"; BY ADDING SECTION 44-7-215 SO AS TO ENTITLE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO HAVE ACCESS TO CERTAIN DATA MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 13-7-10, AS AMENDED, RELATING TO THE DEFINITION OF "NONIONIZING RADIATION", SO AS TO CHANGE THE DEFINITION; TO AMEND SECTION 13-7-45, AS AMENDED, RELATING TO REGULATION OF SOURCES OF IONIZING AND NONIONIZING RADIATION, SO AS TO REQUIRE ACCREDITATION OR CERTIFICATION FOR CERTAIN SOURCES OF RADIATION AND TO CHANGE ALLOWABLE FEES; TO AMEND SECTION 44-1-60, AS AMENDED, RELATING TO THE REVIEW OF CERTIFICATE OF NEED DECISIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BY THE BOARD OF HEALTH AND ENVIRONMENTAL CONTROL AND REQUESTS FOR CONTESTED CARE HEARINGS IN CERTIFICATE OF NEED CASES, SO AS TO ELIMINATE BOARD REVIEW; TO AMEND SECTION 44-7-120, RELATING TO THE PURPOSE OF THE CERTIFICATE OF NEED PROGRAM, SO AS TO ELIMINATE THE USE OF A STATE HEALTH PLAN; TO AMEND SECTION 44-7-130, AS AMENDED, RELATING TO CERTIFICATE OF NEED PROGRAM DEFINITIONS, SO AS TO REVISE DEFINITIONS FOR "AFFECTED PERSON", "HEALTH SERVICE", "FREESTANDING OR MOBILE TECHNOLOGY", AND "LIKE NEW AND EMERGING TECHNOLOGY WITH SIMILAR CAPABILITIES"; TO AMEND SECTION 44-7-150, AS AMENDED, RELATING TO THE USE OF CERTIFICATE OF NEED FEES, SO AS TO ALLOW THE DEPARTMENT TO RETAIN ALL FEES COLLECTED FOR THE USE OF THE PROGRAM; TO AMEND SECTION 44-7-160, AS AMENDED, RELATING TO CIRCUMSTANCES UNDER WHICH A CERTIFICATE OF NEED IS REQUIRED, SO AS TO CHANGE CERTAIN REQUIREMENTS; TO AMEND SECTION 44-7-170, AS AMENDED, RELATING TO CERTIFICATE OF NEED EXCEPTIONS, SO AS TO ADD NEW EXCEPTIONS AND MAKE CHANGES TO EXISTING EXCEPTIONS; TO AMEND SECTION 44-7-200, AS AMENDED, RELATING TO NOTICE REQUIREMENTS ABOUT CERTIFICATE OF NEED APPLICATIONS, SO AS TO ELIMINATE THE REQUIREMENT FOR PUBLICATION OF NOTICE AND INSTEAD TO REQUIRE THE APPLICANT TO FILE A LETTER OF INTENT WITH THE DEPARTMENT AND TO ELIMINATE THE REFERENCE TO BOARD REVIEW OF DEPARTMENT DECISIONS; TO AMEND SECTION 44-7-210, AS AMENDED, RELATING TO CERTIFICATE OF NEED REVIEW PROCEDURES, SO AS TO ELIMINATE THE REQUIREMENT OF A PUBLIC HEARING, THE APPLICATION OF THE STATE HEALTH PLAN, AND BOARD REVIEW OF DEPARTMENT DECISIONS; TO AMEND SECTION 44-7-220, AS AMENDED, RELATING TO JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS ON CERTIFICATE OF NEED MATTERS, SO AS TO ADD CERTAIN REQUIREMENTS RELATED TO THE AWARD OF ATTORNEY FEES AND COSTS AND TO CHANGE THE DEFINITION OF FRIVOLOUS APPEAL; TO AMEND SECTION 44-7-230, AS AMENDED, RELATING TO LIMITATIONS ON CERTIFICATES OF NEED, SO AS TO SUBSTITUTE THE TERM "NEW AND EMERGING TECHNOLOGY" FOR "MEDICAL EQUIPMENT" AND TO ELIMINATE THE ROLE OF THE BOARD; TO AMEND SECTION 44-7-240, RELATING TO CONSTRUCTION PROGRAMS IN THE STATE, SO AS TO ELIMINATE REFERENCE TO THE STATE HEALTH PLAN; TO AMEND SECTION 44-7-1590, RELATING TO PROCEDURES FOR APPROVAL OF HOSPITAL BONDS, SO AS TO ELIMINATE THE RIGHT TO CHALLENGE AN ACTION BY THE DEPARTMENT; TO REPEAL SECTION 44-7-180 RELATING TO THE STATE HEALTH PLANNING COMMITTEE AND THE STATE HEALTH PLAN, AND SECTION 44-7-225 RELATING TO JUDICIAL CONSIDERATION OF THE STATE HEALTH PLAN IN MATTERS BEFORE THE COURT; AND TO REQUIRE THE BOARD TO REVIEW CERTAIN PROJECTS FOR WHICH A CERTIFICATE OF NEED WAS REQUIRED BUT NOT OBTAINED BETWEEN JULY 1, 2013, AND APRIL 14, 2014, TO DETERMINE WHETHER THE PROJECTS MEET THE REQUIREMENTS FOR ISSUANCE OF A CERTIFICATE OF NEED, AND TO ISSUE CERTIFICATES OF NEED IN APPROPRIATE CASES.

Reps. MERRILL, WHITE and J. E. SMITH requested debate on the Bill.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 391--RECONSIDERED, AMENDMENT NO. 1 RECONSIDERED AND TABLED,**

**ORDERED TO THIRD READING**

Rep. DANING moved to reconsider the vote whereby the following Bill was given second reading, which was agreed to:

S. 391 -- Senators Young, Massey, Turner, Thurmond, Johnson, McElveen, Shealy, Hembree, Cromer, Setzler, Alexander, Davis and Scott: A BILL TO AMEND SECTION 59-112-50 OF THE 1976 CODE, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN-STATE TUITION RATES, AND TO DEFINE RELATED TERMINOLOGY.

Rep. DANING moved to reconsider the vote whereby the following amendment was adopted, which was agreed to:

Rep. DANING proposed the following Amendment No. 1 to S. 391 (COUNCIL\AGM\391C001.AGM.AB15), which was tabled:

Amend the bill, as and if amended, Section 59‑112‑50(C)(2)(a), as contained in SECTION 1, by deleting the subitem in its entirety and inserting:

/ (a) a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within ten years of discharge; or /

Renumber sections to conform.

Amend title to conform.

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

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 102; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | 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 | Duckworth | Erickson |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Hart | Hayes | Henderson |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | Murphy |
| Nanney | Newton | Norman |
| Ott | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Tinkler | Weeks |
| Wells | Whipper | White |
| Whitmire | Willis | Yow |

**Total--102**

 Those who voted in the negative are:

**Total--0**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3062--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill, which was adopted:

H. 3062 -- Reps. Goldfinch, G. R. Smith and Pitts: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES AND USE TAX, SO AS TO EXEMPT FROM THESE TAXES GROSS PROCEEDS OF SALES OR SALES PRICE OF CHILDREN'S CLOTHING SOLD TO A PRIVATE CHARITABLE ORGANIZATION FOR THE SOLE PURPOSE OF DISTRIBUTION AT NO COST TO NEEDY CHILDREN AND TO DEFINE "CLOTHING" AND "NEEDY CHILDREN".

**H. 3147--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3147 -- Reps. G. M. Smith, G. R. Smith, Huggins, Weeks, Taylor, Pope, Collins, Johnson, Stavrinakis, Yow, Clemmons, Goldfinch, Murphy, J. E. Smith and Mitchell: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS ATTRIBUTABLE TO SERVICE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES; AND TO AMEND SECTION 12-6-1170, AS AMENDED, RELATING TO THE RETIREMENT INCOME DEDUCTION, SO AS TO CONFORM THIS DEDUCTION TO THE MILITARY RETIREMENT DEDUCTION ALLOWED BY THIS ACT.

Rep. HUGGINS explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 101; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | Murphy |
| Nanney | Newton | Norman |
| Ott | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Rutherford | Ryhal | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Weeks | Wells |
| Whipper | White | Whitmire |
| Willis | Yow |  |

**Total--101**

 Those who voted in the negative are:

**Total--0**

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

**STATEMENT FOR THE HOUSE JOURNAL**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 3147 because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

The reason for abstaining on the above referenced legislation is that a potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

Rep. William E. “Bill” Sandifer III

**H. 3002--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3002 -- Reps. Pitts, G. R. Smith and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 2 SO AS TO ESTABLISH THE CAPITOL POLICE FORCE, WHICH CONSISTS OF THE CAPITOL POLICE FORCE, THE SERGEANT AT ARMS OF THE SENATE, THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES, AND THE MARSHAL OF THE SUPREME COURT, TO PROVIDE THAT THE FUNCTIONS, POWERS, DUTIES, AND RESPONSIBILITIES EXERCISED BY THE DEPARTMENT OF PUBLIC SAFETY AND THE BUREAU OF PROTECTIVE SERVICES AT THE STATE HOUSE AND CAPITOL GROUNDS AND THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT, INCLUDING ALL CLASSIFIED AND UNCLASSIFIED EMPLOYEES WHOSE DUTIES INVOLVE THE PROVISION OF SECURITY SERVICES AT THESE AREAS, BUT EXCLUDING THOSE AREAS OF THE STATE HOUSE THAT ARE RESERVED FOR THE EXECUTIVE CHAMBER AND THE GOVERNOR'S STAFF, ARE DEVOLVED UPON AND TRANSFERRED TO THE CAPITOL POLICE FORCE, TO PROVIDE THAT THE SERGEANT AT ARMS OF THE SENATE AND THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES HAVE EXCLUSIVE CARE AND CHARGE OVER SPECIFIC AREAS, AND TO PROVIDE THAT THE MARSHAL OF THE SUPREME COURT HAS PRIMARY RESPONSIBILITY OVER THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT, AND OTHER SPECIFIED AREAS, TO PROVIDE FOR THE CREATION OF THE CAPITOL POLICE FORCE COMMITTEE, CONSISTING OF THE SERGEANT AT ARMS OF THE SENATE, THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES, AND THE MARSHAL OF THE SUPREME COURT, TO PROVIDE THAT THE DIRECTOR OF GENERAL SERVICES SHALL SERVE AS A NONVOTING MEMBER OF THE COMMITTEE, TO PROVIDE FOR THE DUTIES OF THE CAPITOL POLICE FORCE COMMITTEE, TO PERMIT THE CHIEF OF THE CAPITOL POLICE FORCE TO EMPLOY DEPUTY OFFICERS AND OTHER EMPLOYEES AS NECESSARY, TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE, THE SERGEANTS AT ARMS OF THE SENATE AND HOUSE OF REPRESENTATIVES, THE MARSHAL OF THE SUPREME COURT, AND ALL THEIR DEPUTIES HAVE THE SAME POLICE POWERS AS OFFICERS OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED), TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE MAY ENTER INTO RECIPROCAL LAW ENFORCEMENT AGREEMENTS, TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE, AND HIS DEPUTIES SHALL DEMONSTRATE KNOWLEDGE OF THE DUTIES OF LAW ENFORCEMENT OFFICERS OR UNDERGO TRAINING REQUIRED OF OFFICERS OF SLED, AND TO PROVIDE FOR THE DUTIES OF THE CAPITOL POLICE FORCE OFFICERS; BY ADDING SECTION 14-3-135 SO AS TO PROVIDE FOR THE APPOINTMENT OF A MARSHAL OF THE SUPREME COURT AND TO DEFINE HIS DUTIES; TO AMEND SECTION 10-1-30, RELATING TO THE USE OF THE STATE HOUSE LOBBIES, STATE HOUSE STEPS, AND OTHER PUBLIC BUILDINGS AND GROUNDS, SO AS TO FURTHER PROVIDE FOR THE USE OF THESE FACILITIES AND HOW THIS USE IS REGULATED, AND TO PROVIDE THAT THE CAPITOL POLICE FORCE SHALL PROVIDE SECURITY SERVICES FOR ALL USES OF THE STATE HOUSE LOBBIES, STATE HOUSE STEPS AND GROUNDS, AND ALL PUBLIC BUILDINGS AND GROUNDS IN THE CAPITOL COMPLEX; TO AMEND CHAPTER 11, TITLE 10, RELATING TO TRESPASSES AND OFFENSES ON THE CAPITOL GROUNDS AND IN CAPITOL BUILDINGS, AND RELATED MATTERS, SO AS TO FURTHER PROVIDE FOR THESE TRESPASSES AND OFFENSES, FOR LAW ENFORCEMENT AUTHORITY OVER THEM, AND THE RELATED JURISDICTION OF SPECIFIED COURTS, INCLUDING PROVISIONS TO PROVIDE THAT THE PARKING LOTS ON THE CAPITOL GROUNDS AND AT THE SUPREME COURT BUILDING MUST BE POLICED BY THE CAPITOL POLICE FORCE, TO DELETE PROVISIONS RELATING TO NIGHT WATCHMEN AND POLICEMEN EMPLOYED BY THE STATE BUDGET AND CONTROL BOARD, TO PROVIDE THAT THE CAPITOL POLICE FORCE HAS THE RIGHT TO ISSUE PARKING TICKETS, TO DELETE REFERENCES TO THE CITY OF COLUMBIA RECORDER, AND TO FURTHER PROVIDE FOR THE JURISDICTION OF CERTAIN COURTS IN CRIMINAL MATTERS ARISING IN THESE LOCATIONS, TO DELETE REFERENCES TO THE STATE HOUSE RENOVATION PROJECT, AND TO REVISE THE DEFINITION OF "CAPITOL GROUNDS" SO AS TO INCLUDE THE SUPREME COURT BUILDING, ITS GROUNDS AND PARKING LOT.

Rep. PITTS explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 101; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Duckworth | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | Murphy |
| Nanney | Newton | Ott |
| Parks | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Weeks | Wells |
| Whipper | White | Whitmire |
| Willis | Yow |  |

**Total--101**

 Those who voted in the negative are:

**Total--0**

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

**H. 3568--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill, which was adopted:

H. 3568 -- Reps. G. R. Smith, Duckworth, Burns, Goldfinch, Clemmons, Yow, Kirby, Spires, Norrell, Cobb-Hunter, Daning, Parks, Mitchell, Robinson-Simpson, Bamberg, Limehouse, Sottile, Cole, Corley, Felder, Finlay, Funderburk, Gagnon, Hamilton, Hardee, Hardwick, Henderson, McCoy, McKnight, Nanney, Sandifer, Tallon, Wells, Willis, Dillard and Stavrinakis: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT CONSTRUCTION MATERIALS USED BY AN ENTITY ORGANIZED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AS A NONPROFIT ORGANIZATION TO BUILD, REHABILITATE, OR REPAIR A HOME FOR THE BENEFIT OF AN INDIVIDUAL OR FAMILY IN NEED.

**H. 3725--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3725 -- Reps. J. E. Smith, Quinn, Lowe, Jordan and W. J. McLeod: A BILL TO AMEND SECTION 12-67-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, SO AS TO ADD THE DEFINITION OF "STATE-OWNED ABANDONED BUILDINGS"; TO AMEND SECTION 12-67-140, RELATING TO THE ELIGIBILITY OF A TAXPAYER TO RECEIVE A TAX CREDIT FOR REHABILITATING AN ABANDONED BUILDING, SO AS TO PROVIDE IF A TAX CREDIT IS EARNED BY A TAXPAYER WHO REHABILITATES A STATE-OWNED ABANDONED BUILDING THE CREDIT MUST BE CLAIMED OVER A TWO-YEAR PERIOD AND TO PROVIDE REQUIREMENTS FOR A TAXPAYER WHO SELLS A BUILDING SITE; TO AMEND SECTION 12-6-3535, RELATING TO INCOME TAX CREDITS FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO PROVIDE AN ADDITIONAL INCOME TAX CREDIT OPTION FOR TAXPAYERS, TO PROVIDE ADDITIONAL REQUIREMENTS FOR WHEN A TAX CREDIT MAY BE TAKEN WHEN A TAXPAYER REHABILITATES A STATE-OWNED ABANDONED BUILDING, AND TO PROVIDE REQUIREMENTS FOR TAX CREDITS EARNED BY A PASS-THROUGH ENTITY; BY ADDING SECTION 12-67-160 SO AS TO PROVIDE REQUIREMENTS FOR A CERTIFICATION OF THE ABANDONED BUILDING SITE; BY ADDING SECTION 12-6-3586 SO AS TO ALLOW A TAX CREDIT TO A TAXPAYER WHO CONSTRUCTS, PURCHASES, OR LEASES A NONRESIDENTIAL SOLAR ENERGY SYSTEM; AND TO AMEND SECTION 12-6-3587, RELATING TO THE PURCHASE AND INSTALLATION OF SOLAR ENERGY SYSTEMS FOR HEATING WATER, SPACE HEATING, AIR COOLING, OR GENERATING ELECTRICITY, SO AS TO PROVIDE THAT THE CREDIT IS ALLOWED WITHOUT REGARD TO WHETHER THE TAXPAYER OCCUPIES THE INSTALLATION SITE.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3725 (COUNCIL\BBM\3725C002. BBM.SA15), which was adopted:

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

/ SECTION 1. Section 12‑6‑3535 of the 1976 Code is amended to read:

 “Section 12‑6‑3535. (A)(1) A taxpayer who is allowed a federal income tax credit pursuant to Section 47 of the Internal Revenue Code for making qualified rehabilitation expenditures for a certified historic structure located in this State is allowed to claim a credit against a combination of income taxes and license fees imposed by this title. For the purposes of this section, ‘qualified rehabilitation expenditures’ and ‘certified historic structures’ are defined as provided in the Internal Revenue Code Section 47 and the applicable treasury regulations. Except as provided in subsection (A)(2), ~~The~~ the amount of the credit is ten percent of the expenditures that qualify for the federal credit. To claim the credit allowed by this subsection, a taxpayer filing a paper return must attach a copy of the section of the federal income tax return showing the credit claimed, along with other information that the Department of Revenue determines is necessary for the calculation of the credit provided by this subsection.

 (2) A taxpayer may elect a twenty‑five percent tax credit in lieu of the ten percent tax credit, not to exceed one million dollars for each certified historic structure.

 (B) A taxpayer who is not eligible for a federal income tax credit under Section 47 of the Internal Revenue Code and who makes rehabilitation expenses for a certified historic residential structure located in this State is allowed to claim a credit against the tax imposed by this chapter. The amount of the credit is twenty‑five percent of the rehabilitation expenses. To claim the credit allowed by this subsection, a taxpayer filing a paper return must attach a copy of the certification obtained from the State Historic Preservation Officer verifying that the historic structure has been rehabilitated in accordance with this subsection, along with all information that the Department of Revenue determines is necessary for the calculation of the credit provided by this subsection. A taxpayer filing an electronic return shall keep a copy of the certification with his tax records.

 For the purposes of subsections (B) through (F):

 (1) ‘Certified historic residential structure’ means an owner‑occupied residence that is:

 (a) listed individually in the National Register of Historic Places;

 (b) considered by the State Historic Preservation Officer to contribute to the historic significance of a National Register Historic District;

 (c) considered by the State Historic Preservation Officer to meet the criteria for individual listing in the National Register of Historic Places; or

 (d) an outbuilding of an otherwise eligible property considered by the State Historic Preservation Officer to contribute to the historic significance of the property.

 (2) ‘Certified rehabilitation’ means repairs or alterations consistent with the Secretary of the Interior’s Standards for Rehabilitation and certified as such by the State Historic Preservation Officer before commencement of the work. The review by the State Historic Preservation Officer shall include all repairs, alterations, rehabilitation, and new construction on the certified historic residential structure and the property on which it is located. To qualify for the credit, the taxpayer shall receive documentation from the State Historic Preservation Officer verifying that the completed project was rehabilitated in accordance with the standards for rehabilitation. The rehabilitation expenses must, within a thirty‑six‑month period, exceed fifteen thousand dollars. A taxpayer shall not take more than one credit on the same certified historic residential structure within ten years.

 (3) ‘Rehabilitation expenses’ means expenses incurred by the taxpayer in the certified rehabilitation of a certified historic residential structure that are paid before the credit is claimed including preservation and rehabilitation work done to the exterior of a certified historic residential structure, repair and stabilization of historic structural systems, restoration of historic plaster, energy efficiency measures except insulation in frame walls, repairs or rehabilitation of heating, air‑conditioning, or ventilating systems, repairs or rehabilitation of electrical or plumbing systems exclusive of new electrical appliances and electrical or plumbing fixtures, and architectural and engineering fees.

 ‘Rehabilitation expenses’ do not include the cost of acquiring or marketing the property, the cost of new construction beyond the volume of the existing certified historic residential structure, the value of an owner’s personal labor, or the cost of personal property.

 (4) ‘State Historic Preservation Officer’ means the Director of the Department of Archives and History or the director’s designee who administers the historic preservation programs within the State.

 (5) ‘Owner‑occupied residence’ means a building or portion of a building in which the taxpayer has an ownership interest, in whole or in part, in fee, by life estate, or as the income beneficiary of a property trust, that is, after being placed in service, the residence of the taxpayer and is not:

 (a) actively used in a trade or business;

 (b) held for the production of income; or

 (c) held for sales or disposition in the ordinary course of the taxpayer’s trade or business.

 (C)(1) The entire credit may not be taken for the taxable year in which the property is placed in service but must be taken in equal installments over a ~~five‑year~~ three‑year period beginning with the year in which the property is placed in service. ‘Placed in service’ means the rehabilitation is completed and allows for the intended use. Any unused portion of any credit installment may be carried forward for the succeeding five years.

 (2) The credit earned pursuant to this section by an ‘S’ corporation owing corporate level income tax must be used first at the entity level. Remaining credit passes through to each shareholder in a percentage equal to each shareholder’s percentage of stock ownership. The credit earned pursuant to this section by a general partnership, limited partnership, limited liability company, or other pass‑through entity, as defined in Section 12‑6‑545, ~~taxed as a partnership~~ must be passed through to its partners and may be allocated among partners, including without limitation, an allocation of the entire credit to one partner, in a manner agreed by the partners ~~that is consistent with Subchapter K of the Internal Revenue Code~~. As used in this item the term ‘partner’ means a partner, member, or owner of an interest in the pass‑through entity, as applicable. If the taxpayer makes a pass‑through election under Section 50(d) of the Internal Revenue Code, the taxpayer may elect to pass the credit claimed pursuant to this section to the tenant of the eligible structure or to retain the credit.

 (D) Additional work done by the taxpayer while the credit is being claimed, for a period of up to five years, must be consistent with the Secretary of the Interior’s Standards for Rehabilitation. During this period the State Historic Preservation Officer may review additional work to the certified historic structure or certified historic residential structure and has the right to inspect certified historic structures and certified historic residential structures. If additional work is not consistent with the Standards for Rehabilitation, the taxpayer and Department of Revenue must be notified in writing and any unused portion of the credit, including carry forward, is forfeited.

 (E) The South Carolina Department of Archives and History shall develop an application and may promulgate regulations, including the establishment of fees, needed to administer the certification process. The Department of Revenue may promulgate regulations, including the establishment of fees, to administer the tax credit.

 (F) A taxpayer may appeal a decision of the State Historic Preservation Officer to a committee of the State Review Board appointed by the chairperson.”

SECTION 2. Section 12‑67‑120 of the 1976 Code, as added by Act 57 of 2013, is amended by adding an item at the end to read:

 “(8) ‘State‑owned abandoned building’ means an abandoned building and its ancillary service buildings or a project consisting of one or more abandoned buildings, the aggregate size of which is greater than fifty thousand square feet, that has been abandoned for more than five years, and, prior to the taxpayer’s acquisition of such building, was most recently owned by the State, or an agency, instrumentality, or political subdivision of the State. For purposes of this definition, the taxpayer shall include any entity under common control or common ownership with the taxpayer.”

SECTION 3. Section 12‑67‑140(A) and (B) of the 1976 Code, as added by Act 57 of 2013, is amended to read:

 “(A) Subject to the terms and conditions of this chapter, a taxpayer who rehabilitates an abandoned building is eligible for either:

 (1) a credit against income taxes imposed pursuant to Chapter 6 and Chapter 11 of this title, corporate license fees pursuant to Chapter 20 of this title, ~~or~~ taxes on associations pursuant to Chapter 13 of this title, or insurance premium taxes, including retaliatory taxes, imposed by Chapter 7, Title 38, or a combination ~~thereof~~ of them; or

 (2) a credit against real property taxes levied by local taxing entities.

 (B) If the taxpayer elects to receive the credit pursuant to subsection (A)(1), the following provisions apply:

 (1) The taxpayer shall file with the department a Notice of Intent to Rehabilitate before incurring its first rehabilitation expenses at the building site. Failure to provide the Notice of Intent to Rehabilitate results in qualification of only those rehabilitation expenses incurred after the notice is provided.

 (2) The amount of the credit is equal to twenty‑five percent of the actual rehabilitation expenses incurred at the building site if the actual rehabilitation expenses incurred in rehabilitating the building site are between eighty percent and one hundred twenty‑five percent of the estimated rehabilitation expenses set forth in the Notice of Intent to Rehabilitate. If the actual rehabilitation expenses exceed one hundred twenty‑five percent of the estimated expenses set forth in the Notice of Intent to Rehabilitate, the taxpayer qualifies for the credit based on one hundred twenty‑five percent of the estimated expenses as opposed to the actual expenses it incurred in rehabilitating the building site. If the actual rehabilitation expenses are below eighty percent of the estimated rehabilitation expenses, the credit is not allowed.

 (3)(a) The entire credit is earned in the taxable year in which the applicable phase or portion of the building site is placed in service but must be taken in equal installments over a ~~five‑year~~ three‑year period beginning with the tax year in which the applicable phase or portion of the building site is placed in service. Unused credit may be carried forward for the succeeding five years.

 (b) The entire credit earned pursuant to this subsection may not exceed five hundred thousand dollars for any taxpayer in a tax year for each abandoned building site. The limitation provided in this subitem applies to each unit or parcel deemed to be an abandoned building site.

 (4) If the taxpayer qualifies for both the credit allowed by this section and the credit allowed pursuant to the Textiles Communities Revitalization Act or the Retail Facilities Revitalization Act, the taxpayer only may claim one of the three credits. However, the taxpayer is not disqualified from claiming any other tax credit in conjunction with the credit allowed by this section.

 (5) ~~The credit allowed by this subsection is limited in use to fifty percent of either:~~

 ~~(a)~~ ~~the taxpayer’s income tax liability for the taxable year if the taxpayer claims the credit allowed by this section as a credit against income tax imposed pursuant to Chapter 6 or Chapter 11 of this title, or taxes on associations pursuant to Chapter 13 of this title, or both; or~~

 ~~(b)~~ ~~the taxpayer’s corporate license fees for the taxable year if the taxpayer claims the credit allowed by this section as a credit against license fees imposed pursuant to Chapter 20.~~

 ~~(6)~~(a) If the taxpayer leases the building site, or part of the building site, the taxpayer may transfer any applicable remaining credit associated with the rehabilitation expenses incurred with respect to that part of the site to the lessee of the site. If a taxpayer sells the building site, or any phase or portion of the building site, the taxpayer may transfer all or part of the remaining credit, associated with the rehabilitation expenses incurred with respect to that phase or portion of the site, to the purchaser of the applicable portion of the building site.

 (b) To the extent that the taxpayer transfers the credit, the taxpayer shall notify the department of the transfer in the manner the department prescribes.

 ~~(7)~~(6) To the extent that the taxpayer is a partnership or a limited liability company taxed as a partnership, the credit may be passed through to the partners or members and may be allocated among any of its partners or members including, without limitation, an allocation of the entire credit to one partner or member, without regard to any provision of the Internal Revenue Code or regulations promulgated pursuant thereto, that may be interpreted as contrary to the allocation, including, without limitation, the treatment of the allocation as a disguised sale.”

SECTION 4. Chapter 67, Title 12 of the 1976 Code is amended by adding:

 “Section 12‑67‑160. (A) Notwithstanding any other provision of law, the taxpayer may apply to the municipality or county in which the abandoned building is located for a certification of the abandoned building site made by ordinance or binding resolution of the governing body of the municipality or county. The certification must including findings that the:

 (1) abandoned building site was an abandoned building as defined in Section 12‑67‑120(1); and

 (2) geographic area of the abandoned building site is consistent with Section 12‑67‑120(2).

 (B) The taxpayer may apply to the municipality or county in which the state‑owned abandoned building is located for a certification of the state‑owned abandoned building site made by ordinance or binding resolution of the governing body of the municipality or county. The certification must include findings that the:

 (1) state‑owned abandoned building site was a state‑owned abandoned building as defined in Section 12‑67‑120(8); and

 (2) geographic area of the state‑owned abandoned building site is consistent with Section 12‑67‑120(8).

 (C) The taxpayer conclusively may rely upon the certification in determining the credit allowed; provided, however, that if the taxpayer is relying upon the certification, the taxpayer shall include a copy of the certification on the first return for which the credit is claimed.”

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

Renumber sections to conform.

Amend title to conform.

Rep. LOWE 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 85; Nays 10

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bernstein | Bowers |
| Bradley | R. L. Brown | Burns |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Finlay | Forrester | Funderburk |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Hayes | Henegan |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| McCoy | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| Murphy | Newton | Ott |
| Parks | Pitts | Pope |
| Quinn | Ridgeway | Rivers |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Tinkler | Weeks | Wells |
| Whipper | Whitmire | Willis |
| Yow |  |  |

**Total--85**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bingham | Brannon | Felder |
| Gagnon | Hill | Johnson |
| Nanney | Norman | Putnam |
| Thayer |  |  |

**Total--10**

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

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

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3878--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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.

**S. 358--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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.

**H. 3794--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3794 -- Reps. Forrester, Burns, Sottile, Spires, V. S. Moss, Gambrell, Bales, Kennedy, Tallon, Allison, Bedingfield, Daning, Henderson, Hicks, Hixon, G. R. Smith and Thayer: A BILL TO AMEND SECTION 56-1-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND RENEWAL OF A DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT A FIVE YEAR DRIVER'S LICENSE MUST BE ISSUED TO A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE WHEN HE RENEWS HIS LICENSE; AND TO AMEND SECTION 56-1-220, RELATING TO VISION SCREENINGS THAT ARE REQUIRED FOR A PERSON TO RENEW HIS DRIVER'S LICENSE, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERSON TO SUBMIT A VISION SCREENING CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES DURING THE FIFTH YEAR OF A TEN YEAR DRIVER'S LICENSE, AND THE PROVISION THAT ALLOWS A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE TO OBTAIN A DRIVER'S LICENSE THAT IS VALID FOR FIVE YEARS.

**H. 3891--POINT OF ORDER**

The following Bill was taken up:

H. 3891 -- Reps. Toole, Long, Bedingfield, J. E. Smith, Anderson, Forrester, Rutherford and Sandifer: A BILL TO AMEND SECTION 56-31-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SURCHARGES ON RENTAL OR PRIVATE PASSENGER MOTOR VEHICLES FOR THIRTY-ONE DAYS OR LESS, SO AS TO DEFINE NECESSARY TERMS, TO DELETE EXISTING SURCHARGE PROVISIONS, TO INSTEAD PROVIDE RENTAL COMPANIES ENGAGED IN THE BUSINESS OF RENTING VEHICLES FOR PERIODS OF NINETY DAYS OR LESS MAY CHARGE SEPARATELY STATED FEES WHICH MAY INCLUDE CERTAIN FEES AND TAXES, TO PROVIDE THE AMOUNT OF THE CHARGE MUST REPRESENT THE GOOD FAITH ESTIMATE BY THE MOTOR VEHICLE RENTAL COMPANY OF ITS DAILY CHARGE CALCULATED TO RECOVER ITS ACTUAL TOTAL ANNUAL RECOVERABLE COSTS, TO PROVIDE REQUIREMENTS FOR WHEN THE TOTAL AMOUNT OF THE VEHICLE LICENSE FEES COLLECTED BY A MOTOR VEHICLE RENTAL COMPANY IN ANY CALENDAR YEAR EXCEEDS THE ACTUAL COSTS OF THE CAR RENTAL COMPANY DURING THAT PERIOD, TO REQUIRE A CERTAIN DESCRIPTION OF VEHICLE LICENSE FEES IN THE VEHICLE RENTAL AGREEMENTS, AND TO PROVIDE THAT VEHICLE LICENSE FEES ARE SUBJECT TO CERTAIN SALES AND USE TAXES.

**POINT OF ORDER**

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

The SPEAKER *PRO TEMPORE* sustained the Point of Order.

**H. 3151--DEBATE ADJOURNED**

Rep. TAYLOR moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3151 -- Rep. G. R. Smith: A BILL TO AMEND SECTION 59-29-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUISITE STUDY OF THE UNITED STATES CONSTITUTION AND OTHER TEXTS REFLECTING THE HISTORY OF THE UNITED STATES IN PUBLIC HIGH SCHOOLS AND PUBLICLY-SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT PUBLIC COLLEGES AND UNIVERSITIES MAY SATISFY THE INSTRUCTIONAL COMPONENT OF THIS REQUIREMENT BY PROVIDING AND ASSIGNING CERTAIN RELATED READING; TO AMEND SECTION 59-29-130, RELATING TO THE REQUIREMENT THAT THESE SUBJECTS BE GIVEN FOR AT LEAST ONE YEAR, SO AS TO REVISE THE REQUIREMENT FOR COLLEGES AND UNIVERSITIES; AND TO AMEND SECTION 59-29-140, RELATING TO THE ROLE OF THE STATE SUPERINTENDENT OF EDUCATION TO ENFORCE THESE STUDY REQUIREMENTS AND PRESCRIBE SUITABLE TEXTS, SO AS TO TRANSFER THESE FUNCTIONS, WITH RESPECT TO COLLEGES AND UNIVERSITIES, TO THE COMMISSION OF HIGHER EDUCATION.

**H. 3062--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3062 -- Reps. Goldfinch, G. R. Smith and Pitts: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES AND USE TAX, SO AS TO EXEMPT FROM THESE TAXES GROSS PROCEEDS OF SALES OR SALES PRICE OF CHILDREN'S CLOTHING SOLD TO A PRIVATE CHARITABLE ORGANIZATION FOR THE SOLE PURPOSE OF DISTRIBUTION AT NO COST TO NEEDY CHILDREN AND TO DEFINE "CLOTHING" AND "NEEDY CHILDREN".

**H. 3568--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3568 -- Reps. G. R. Smith, Duckworth, Burns, Goldfinch, Clemmons, Yow, Kirby, Spires, Norrell, Cobb-Hunter, Daning, Parks, Mitchell, Robinson-Simpson, Bamberg, Limehouse, Sottile, Cole, Corley, Felder, Finlay, Funderburk, Gagnon, Hamilton, Hardee, Hardwick, Henderson, McCoy, McKnight, Nanney, Sandifer, Tallon, Wells, Willis, Dillard and Stavrinakis: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT CONSTRUCTION MATERIALS USED BY AN ENTITY ORGANIZED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AS A NONPROFIT ORGANIZATION TO BUILD, REHABILITATE, OR REPAIR A HOME FOR THE BENEFIT OF AN INDIVIDUAL OR FAMILY IN NEED.

**H. 3874--POINT OF ORDER**

The following Bill was taken up:

H. 3874 -- Reps. Mitchell, Cobb-Hunter, Merrill, Loftis and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3770 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES RENEWABLE ENERGY PROPERTY AND PLACES IT IN SERVICE IN THIS STATE, AND TO PROVIDE A DEFINITION OF "RENEWABLE ENERGY PROPERTY".

**POINT OF ORDER**

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

The SPEAKER *PRO TEMPORE* sustained the Point of Order.

**H. 3149--POINT OF ORDER**

The following Bill was taken up:

H. 3149 -- Reps. G. M. Smith, G. R. Smith, Cobb-Hunter, Johnson, Whipper and R. L. Brown: A BILL TO AMEND SECTION 12-39-360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COUNTY'S AUTHORITY TO EXTEND THE PAYMENT OF PROPERTY TAXES FOR SERVICE MEMBERS IN OR NEAR A HAZARD DUTY ZONE, SO AS TO REQUIRE EACH COUNTY TO ALLOW FOR A DEFERMENT, TO PROVIDE THE DEFERMENT BEGINS ON THE TAX DUE DATE AND ENDS NINETY DAYS AFTER THE LAST DATE OF DEPLOYMENT, AND TO PROVIDE THAT NO INTEREST MAY BE CHARGED DURING THE DEPLOYMENT UNLESS THE TAX IS NOT PAID WITHIN THE NINETY-DAY GRACE PERIOD.

**POINT OF ORDER**

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

The SPEAKER *PRO TEMPORE* sustained the Point of Order.

**H. 3313--AMENDED AND POINT OF ORDER**

The following Bill was taken up:

H. 3313 -- Reps. Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V. S. Moss, Norman, Stringer and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER-OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3313 (COUNCIL\NL\3313C001.NL.SD15), which was adopted:

Amend the bill, as and if amended, page 3, Section 12-43-220(c)(2)(vii) as contained in SECTION 4, by adding a new sentence at the end of subitem (B) to read:

/ The provisions of this subitem making the additional taxes and penalties assessed pursuant to subitem (A) the sole personal liability of the transferor also apply to transfers required as a result of a property settlement pursuant to a divorce or other disputed marital matters where required by written agreement of the parties or a court order unless the agreement or court order requires otherwise, and additionally apply to trust distributions unless the trust instrument requires otherwise. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

The amendment was then adopted.

**POINT OF ORDER**

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

The SPEAKER *PRO TEMPORE* sustained the Point of Order.

**H. 3562--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3562 -- Reps. Herbkersman, Newton, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 10, TITLE 4 ENACTING THE "LOCAL OPTION SCHOOL OPERATING MILLAGE PROPERTY TAX CREDIT ACT" SO AS TO ALLOW A COUNTY GOVERNING BODY WITH REFERENDUM APPROVAL TO IMPOSE A ONE PERCENT SALES TAX THE REVENUE OF WHICH IS USED TO PROVIDE A CREDIT AGAINST PROPERTY TAX LEVIED IN THE COUNTY FOR SCHOOL OPERATIONS, TO PROVIDE FOR THE REFERENDUM, THE DISTRIBUTION OF THE REVENUE, THE CALCULATION AND APPLICATION OF THE CREDIT AND THE ADJUSTMENT OF THE MILLAGE INCREASE CAP TO REFLECT ANNUAL GROWTH IN THIS REVENUE, AND TO PROVIDE THAT THE TAX MAY BE RESCINDED BY REFERENDUM INITIATED BY A PETITION OF FIFTEEN PERCENT OF THE QUALIFIED ELECTORS OF THE COUNTY OR BY ORDINANCE IF THE GOVERNING BODY OF THE COUNTY DETERMINES THAT CHANGES IN STATE LAW PROVIDING FOR THE FINANCING OF SCHOOL OPERATIONS MAKE THE ORIGINAL PURPOSE OF THE TAX IMPOSSIBLE TO ACCOMPLISH UNDER THE EXISTING LAW.

Rep. HERBKERSMAN explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 65; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bales | Bannister | Bernstein |
| Bingham | Bradley | Brannon |
| Burns | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hamilton |
| Hardwick | Hart | Hayes |
| Henderson | Herbkersman | Hixon |
| Hodges | Horne | Huggins |
| Jefferson | Jordan | Limehouse |
| Long | Lucas | W. J. McLeod |
| Mitchell | Murphy | Newton |
| Norman | Ott | Parks |
| Pope | Putnam | Quinn |
| Ridgeway | Rivers | Rutherford |
| Sandifer | Simrill | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Tallon | Weeks | White |
| Whitmire | Willis |  |

**Total--65**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| G. M. Smith |  |  |

**Total--1**

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

**SPEAKER IN CHAIR**

**H. 3152--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3152 -- Rep. G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-415 SO AS TO PROVIDE THAT THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR A FISCAL YEAR IS THE TOTAL AMOUNT OF THE GENERAL FUND REVENUE ESTIMATE AS OF FEBRUARY 15, 2015, FOR FISCAL YEAR 2015-2016, INCREASED ANNUALLY AND CUMULATIVELY BY A PERCENTAGE DETERMINED BY POPULATION INCREASES AND INCREASES IN THE CONSUMER PRICE INDEX, TO EXCLUDE FROM THIS LIMIT CONSTITUTIONAL AND STATUTORY REQUIREMENTS, TO PROVIDE FOR THE LIMITATION TO BE SUSPENDED FOR A FISCAL YEAR FOR A SPECIFIC AMOUNT UPON A SPECIAL VOTE OF THE GENERAL ASSEMBLY AND TO DEFINE THIS SPECIAL VOTE, TO ESTABLISH THE SPENDING LIMIT RESERVE FUND TO WHICH ALL SURPLUS GENERAL FUND REVENUES MUST BE CREDITED, TO PROVIDE FOR THE PRIORITY USES OF THE REVENUES OF THIS FUND, TO PROVIDE FOR THE APPROPRIATION OF FUND REVENUES AFTER THESE PRIORITIES ARE MET, TO REQUIRE THAT APPROPRIATION OF REVENUES OF THIS FUND MUST BE BY A JOINT RESOLUTION ORIGINATING IN THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT THIS LIMIT FIRST APPLIES FOR FISCAL YEAR 2016-2017.

Rep. G. R. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 90; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bannister | Bingham | Bradley |
| Brannon | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Duckworth | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | Gambrell | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Hart |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Jefferson | Johnson |
| Jordan | Kennedy | Limehouse |
| Loftis | Long | Lucas |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | Murphy | Nanney |
| Newton | Norman | Ott |
| Parks | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Thayer | Tinkler |
| Weeks | Whipper | White |
| Whitmire | Willis | Yow |

**Total--90**

 Those who voted in the negative are:

**Total--0**

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

**H. 3027--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3027 -- Reps. Clemmons, Long, G. R. Smith and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-65-140 SO AS TO REQUIRE THAT BY OCTOBER THIRTY-FIRST OF EACH YEAR, EACH STATE AGENCY SHALL SUBMIT A REPORT DETAILING ITS FEDERAL RECEIPTS AND DEVELOPING A PLAN SHOULD ITS FEDERAL RECEIPTS BE REDUCED, TO REQUIRE THAT BY FEBRUARY FIFTEENTH OF EACH YEAR, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE AND THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE MUST PLACE THE MOST RECENTLY RECEIVED REPORT ON THE AGENDA FOR REVIEW AND CONSIDERATION.

Reps. CLEMMONS, ERICKSON, LOFTIS, TAYLOR, HIXON, NORMAN, SIMRILL, WELLS, HIOTT, CLARY, SOTTILE, G. R. SMITH, CORLEY, COBB-HUNTER, J. E. SMITH, YOW, HARDWICK, JOHNSON and WHITE requested debate on the Bill.

**H. 3768--POINT OF ORDER**

The following Bill was taken up:

H. 3768 -- Reps. G. M. Smith and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 5, TITLE 11 SO AS TO ESTABLISH THE "SOUTH CAROLINA ABLE SAVINGS PROGRAM", TO ALLOW INDIVIDUALS WITH A DISABILITY AND THEIR FAMILIES TO SAVE PRIVATE FUNDS TO SUPPORT THE INDIVIDUAL WITH A DISABILITY, TO PROVIDE GUIDELINES TO THE STATE TREASURER FOR THE MAINTENANCE OF THESE ACCOUNTS, AND TO ESTABLISH THE SAVINGS PROGRAM TRUST FUND AND SAVINGS EXPENSE TRUST FUND; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 5, TITLE 11 AS ARTICLE 1 AND ENTITLE THEM "GENERAL PROVISIONS".

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3113--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3113 -- Reps. Mitchell and Cobb-Hunter: A BILL TO AMEND SECTION 31-7-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REDEVELOPMENT PROJECT COSTS, SO AS TO PROVIDE PROPERTY ASSEMBLY COSTS ALSO INCLUDE THE COST OF ENVIRONMENTAL REMEDIATION.

Rep. LOFTIS explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 79; Nays 9

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Bamberg |
| Bannister | Bernstein | Bingham |
| Brannon | R. L. Brown | Burns |
| Chumley | Clary | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hardwick | Hayes | Henderson |
| Henegan | Herbkersman | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Jordan |
| Kennedy | Knight | Limehouse |
| Loftis | Lucas | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | Murphy |
| Newton | Ott | Parks |
| Pitts | Pope | Ridgeway |
| Riley | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Tallon | Taylor | Tinkler |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Yow |  |  |

**Total--79**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bradley | Crosby | Daning |
| Forrester | Hamilton | Hiott |
| Nanney | Norman | Putnam |

**Total--9**

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

**H. 3868--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3868 -- Reps. Pitts and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WETLANDS CONSERVATION ACT"; TO AMEND SECTION 12-24-95, RELATING TO DEED RECORDING FEES, SO AS TO INCREASE THE PORTION OF A STATE DEED RECORDING FEE THAT MUST BE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND FROM TWENTY-FIVE CENTS TO THIRTY CENTS; TO AMEND SECTION 48-59-60, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, SO AS TO REQUIRE THAT ANY FUNDS COLLECTED BY THE SOUTH CAROLINA CONSERVATION BANK IN EXCESS OF THE AMOUNT AUTHORIZED IN THE ANNUAL APPROPRIATIONS BILL MUST BE TRANSFERRED TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-59-70, RELATING TO TRUST FUND GRANTS AND CONSERVATION CRITERIA, SO AS TO ADD ISOLATED WETLANDS AND CAROLINA BAYS TO THE CONSERVATION CRITERIA, TO ADD THE VALUE OF A PROPOSAL ON WILDLIFE MANAGEMENT AREAS OWNED AND MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES TO THE CONSERVATION CRITERIA, AND TO ALLOW THE BOARD TO AUTHORIZE UP TO EIGHT AND THIRTY-THREE ONE HUNDREDTHS PERCENT OF THE MONIES CREDITED TO THE TRUST FUND TO APPLICATIONS THAT SOLELY MEET THE NEW CONSERVATION CRITERIA AND LIMIT THE AWARD OF MONEY TO APPLICATIONS FOR ACQUISITION OF INTERESTS IN LAND SOLELY FOR THE SITES OF HISTORICAL OR ARCHAEOLOGICAL SIGNIFICANCE; TO AMEND SECTION 48-59-75, RELATING TO RESTRICTIONS ON THE TRANSFER OF DEED RECORDING FEES TO THE TRUST FUND, SO AS TO PROVIDE THE TRANSFER OF RECORDING FEES AND OTHER APPROPRIATED FUNDS TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND MUST BE DECREASED BY TWICE THE AVERAGE PERCENTAGE REDUCTION OF APPROPRIATIONS TO EACH AGENCY AND DEPARTMENT IN A FISCAL YEAR WHEN THE GENERAL ASSEMBLY PROVIDES LESS APPROPRIATIONS THAN WHAT WAS PROVIDED FOR IN THE PREVIOUS YEAR TO AT LEAST ONE-HALF OF ALL STATE AGENCIES OR DEPARTMENTS.

Reps. LOFTIS, CLYBURN, HIOTT, SPIRES, NORMAN, MCKNIGHT, HIXON, HAMILTON, BANNISTER, CORLEY, HARDWICK, M. S. MCLEOD, COBB-HUNTER, OTT, JEFFERSON, PITTS, GAMBRELL, GAGNON, PUTNAM, THAYER, WHITE, HILL, SANDIFER, CROSBY and H. A. CRAWFORD requested debate on the Bill.

**H. 3259--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3259 -- Rep. Stavrinakis: A BILL TO AMEND SECTION 6-34-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE SOUTH CAROLINA RETAIL FACILITIES REVITALIZATION ACT, SO AS TO REDUCE THE MINIMUM SQUARE FOOTAGE REQUIREMENT CONTAINED IN THE DEFINITION OF "ELIGIBLE SITE".

Rep. LOFTIS explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 97; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bannister | Bernstein | Bingham |
| Bradley | Brannon | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Hayes | Henderson | Henegan |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lucas | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| Murphy | Nanney | Newton |
| Norman | Ott | Parks |
| Pitts | Pope | Putnam |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Yow |  |  |

**Total--97**

 Those who voted in the negative are:

**Total--0**

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

**H. 4048--POINT OF ORDER**

The following Bill was taken up:

H. 4048 -- Reps. H. A. Crawford, Hamilton, Murphy, Allison, Cobb-Hunter, M. S. McLeod, Bales, Duckworth, Johnson, Hardee, Goldfinch, Kennedy, Clemmons, Dillard, Forrester, Hardwick, Hicks, Lowe, Pope and Riley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-200 SO AS TO DESIGNATE THE SECOND WEEK OF SEPTEMBER OF EACH YEAR AS "GRADUATION AWARENESS WEEK" IN SOUTH CAROLINA.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3025--SENT TO THE SENATE**

The following Bill was taken up:

H. 3025 -- Reps. Clemmons, Yow, Hixon, Kennedy, Loftis, Huggins, Rivers, Hill, Gagnon, Stringer, Bedingfield, Burns, Hicks and Chumley: 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. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 74; Nays 17

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bannister | Bingham | Bradley |
| Brannon | Burns | Chumley |
| Clemmons | Cole | Collins |
| Corley | Crosby | Daning |
| Delleney | Douglas | Duckworth |
| Erickson | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Goldfinch | Hamilton | Hardwick |
| Hayes | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hosey | Huggins |
| Johnson | Jordan | Kennedy |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | Merrill | Murphy |
| Nanney | Newton | Norman |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Spires | Tallon |
| Taylor | Thayer | Weeks |
| Wells | White | Whitmire |
| Willis | Yow |  |

**Total--74**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bernstein | R. L. Brown | Cobb-Hunter |
| Dillard | Gilliard | Henegan |
| Hodges | Horne | Jefferson |
| M. S. McLeod | W. J. McLeod | Mitchell |
| Parks | Robinson-Simpson | J. E. Smith |
| Tinkler | Whipper |  |

**Total--17**

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

**H. 3343--SENT TO THE SENATE**

The following Bill was taken up:

H. 3343 -- Reps. Huggins, Toole, Long, McCoy, Knight, R. L. Brown, Pope, Collins, Bingham, Stavrinakis, Yow and Erickson: A BILL TO AMEND SECTION 47-3-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF EUTHANASIA THAT MAY BE USED TO KILL ANIMALS IMPOUNDED OR QUARANTINED IN ANIMAL SHELTERS, SO AS TO PROVIDE THAT THE USE OF BARBITURIC ACID DERIVATIVES, AND CARBON MONOXIDE GAS ARE NOT ALLOWABLE METHODS OF EUTHANASIA AND TO PROVIDE THAT THE USE OF SODIUM PENTOBARBITAL AND OTHER SUBSTANCES OR PROCEDURES THAT ARE HUMANE MAY BE USED TO PERFORM EUTHANASIA.

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

**H. 4023--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4023 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT SIGNS THAT CONTAIN THE WORDS "QUAIL POINTE COMMUNITY" ON THE CORNER OF STARLING GOODSON ROAD AND BITTERNUT DRIVE, AND AT THE INTERSECTION OF GOODSON ROAD AND GOOSE BRANCH, BOTH IN LOWER RICHLAND COUNTY.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 4008--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4008 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF CALHOUN STREET AND MCARTHUR AVENUE IN THE TOWN OF DILLON "MAJOR BETHEA INTERSECTION" AND ERECT

APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3663--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

Columbia, S.C., April 28, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 3663:

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

Very respectfully,

President

On motion of Rep. BINGHAM, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. MERRILL, COBB-HUNTER and BINGHAM to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**REPORTS OF STANDING COMMITTEE**

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

S. 168 -- Senator Kimpson: A JOINT RESOLUTION TO DECLARE SEPTEMBER 26, ANNUALLY, AS MESOTHELIOMA AWARENESS DAY.

Ordered for consideration tomorrow.

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

H. 3980 -- Reps. Hicks, Chumley, Burns, Allison, Forrester, Brannon, Cole and Tallon: A HOUSE RESOLUTION MEMORIALIZING THE SOUTH CAROLINA DEPARTMENT OF SOCIAL 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.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4067 -- Rep. McEachern: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE UNIVERSITY OF SOUTH CAROLINA EQUESTRIAN TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND HONORED FOR WINNING THE 2015 NATIONAL COLLEGIATE EQUESTRIAN ASSOCIATION NATIONAL CHAMPIONSHIP.

That the privilege of the floor of the South Carolina House of Representatives be extended to the University of South Carolina equestrian team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and

honored for winning the 2015 National Collegiate Equestrian Association National Championship.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4068 -- Reps. McEachern, Douglas, 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, 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, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, 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 THE UNIVERSITY OF SOUTH CAROLINA EQUESTRIAN TEAM AND ITS COACHES ON A STELLAR SEASON AND TO CELEBRATE THEIR WIN OF THE 2015 NATIONAL COLLEGIATE EQUESTRIAN ASSOCIATION NATIONAL CHAMPIONSHIP.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4069 -- Reps. Clemmons, Duckworth, Johnson, Gambrell, Hardwick, Hardee, Ridgeway, Ryhal, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Jordan, 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, Riley, Rivers, Robinson-Simpson, Rutherford, 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 LIEUTENANT VINCENT "VINNIE" BETTINAZZI OF THE MYRTLE BEACH FIRE DEPARTMENT FOR HIS OUTSTANDING WORK AS A CERTIFIED FIREFIGHTER AND TO CONGRATULATE HIM ON BEING NAMED THE 2015 CHICORA ROTARY CLUB FIREFIGHTER OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4070 -- Reps. Clemmons, Duckworth, Johnson, Hardee, Hardwick, Ryhal, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Jordan, 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, 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 PATROLMAN FIRST CLASS CHRIS SMITH OF THE MYRTLE BEACH POLICE DEPARTMENT FOR OUTSTANDING SERVICE TO THE FORCE AND TO HIS SURROUNDING COMMUNITY AND TO CONGRATULATE HIM ON BEING NAMED THE MYRTLE BEACH ROTARY CLUB 2015 OFFICER JOE MCGARRY MEMORIAL POLICE OFFICER OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4071 -- Reps. Bedingfield and G. R. Smith: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH GREENVILLE AREA FIRE DISTRICT FOR A HALF CENTURY OF SIGNIFICANT SERVICE TO PROTECT THE CITIZENS OF THE COMMUNITY AND TO WISH THE FIREFIGHTERS AND STAFF CONTINUED SUCCESS IN THEIR VITAL WORK IN THE YEARS TO COME.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4072 -- 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, Jordan, 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 FRANCES BASS GINSBERG OF ORANGEBURG COUNTY ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER MANY YEARS OF CONTINUED HEALTH AND HAPPINESS UPON THIS JOYOUS BIRTHDAY CELEBRATION.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4073 -- Reps. Tallon, Allison, Brannon, Chumley, Cole, Forrester, Hicks and Mitchell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR UNIVERSITY OF SOUTH CAROLINA UPSTATE BASKETBALL PLAYER TY GREENE FOR HIS OUTSTANDING SEASON AND TO CONGRATULATE HIM ON BEING NAMED 2015 LOU HENSON NATIONAL PLAYER OF THE YEAR AND 2015 ATLANTIC SUN CONFERENCE PLAYER OF THE YEAR.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4074 -- Reps. Allison, Alexander, 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, Jordan, 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 AND HONOR THE MEMBERS OF THE SUPREME COUNCIL OF SOVEREIGN GRAND INSPECTORS GENERAL OF THE ANCIENT AND ACCEPTED SCOTTISH RITE OF FREEMASONRY UPON THEIR ONE HUNDRED FIFTY-FIRST ANNIVERSARY.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4075 -- 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, Jordan, 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 CONGRATULATE CARDINAL NEWMAN SCHOOL AND ITS DEDICATED STUDENTS WHO PARTICIPATED IN THE ANNUAL DANCE MARATHON THAT RAISED OVER FIFTY-FOUR THOUSAND
DOLLARS TO BENEFIT PALMETTO HEALTH CHILDREN'S HOSPITAL.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 722 -- Senators Scott, Sabb, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO WELCOME HIGHLY ACCLAIMED ACTOR AND ACTIVIST DANNY GLOVER TO THE PALMETTO STATE AND TO EXPRESS PROFOUND APPRECIATION FOR HIS ADDRESS AT THE 2015 COMMENCEMENT OF VOORHEES COLLEGE.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 723 -- Senators Scott, Jackson, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO CONVEY THE DEEPEST SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE DEATH OF WILLIAM L. BONNER OF DETROIT, MICHIGAN, CHIEF APOSTLE OF THE CHURCH OF OUR LORD JESUS CHRIST OF THE APOSTOLIC FAITH, AND TO OFFER THEIR SINCERE

CONDOLENCES TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

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. 4076 -- Reps. Pitts and Willis: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS, TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LAURENS COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO MAKE TECHNICAL CORRECTIONS.

Referred to Laurens Delegation

H. 4077 -- Reps. Quinn and Stringer: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014-2015, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Referred to Committee on Ways and Means

H. 4078 -- Rep. W. J. McLeod: A JOINT RESOLUTION TO REQUIRE THE SOUTH CAROLINA STATE ELECTION COMMISSION TO SUBMIT A PLAN AND PROCESS FOR THE PURCHASE OF NEW VOTING MACHINES BY DECEMBER 31, 2015, AND TO PROHIBIT THE PURCHASE OF NEW VOTING MACHINES UNTIL THE GENERAL ASSEMBLY REVIEWS AND APPROVES THE PLAN.

Referred to Committee on Judiciary

H. 4079 -- Reps. Pitts and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICTS 55 AND 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF LAURENS COUNTY SCHOOL DISTRICT 55 MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

Referred to Laurens Delegation

H. 4080 -- Rep. W. J. McLeod: A JOINT RESOLUTION TO CREATE A VOTING SYSTEM STUDY COMMITTEE, TO PROVIDE FOR THE MEMBERSHIP AND STAFFING OF THE STUDY COMMITTEE, AND TO PROVIDE FOR THE STUDY COMMITTEE'S REPORT AND DISSOLUTION.

Referred to Committee on Judiciary

H. 4081 -- Rep. King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-15-67 SO AS TO PROVIDE BEGINNING JANUARY 1, 2016, THE LEGISLATIVE AUDIT COUNCIL SHALL CONDUCT A MANAGEMENT PERFORMANCE AUDIT OF EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE EVERY TEN YEARS PURSUANT TO A CERTAIN SCHEDULE.

Referred to Committee on Education and Public Works

H. 4082 -- Reps. Knight, Jefferson, Murphy, Horne, Whipper and Tinkler: A BILL TO AMEND ACT 536 OF 1986, AS AMENDED, RELATING TO DORCHESTER COUNTY SCHOOL DISTRICT FOUR BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2016, TO DESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Rep. KNIGHT, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

S. 176 -- Senator Alexander: A BILL TO AMEND SECTION 44-63-74(A) OF THE 1976 CODE, RELATING TO ELECTRONIC FILING AND TRANSMISSION OF DEATH CERTIFICATES, TO PROVIDE THAT DEATH CERTIFICATES MUST BE ELECTRONICALLY FILED WITH THE BUREAU OF VITAL STATISTICS WITHIN THREE DAYS AFTER DEATH, TO PROVIDE THAT MEDICAL CERTIFICATIONS OF CAUSE OF DEATH SHALL BE COMPLETED AND RETURNED TO FUNERAL HOME DIRECTORS WITHIN FORTY-EIGHT HOURS AFTER DEATH BY THE PHYSICIAN IN CHARGE OF THE PATIENT'S CARE FOR THE ILLNESS OR CONDITION WHICH RESULTED IN DEATH, EXCEPT WHEN INQUIRY IS REQUIRED BY CORONER OR MEDICAL EXAMINER, TO PROVIDE THAT IF THE CAUSE OF DEATH CANNOT BE DETERMINED WITHIN FORTY-EIGHT HOURS AFTER DEATH, A MEDICAL CERTIFICATION SHALL BE ENTERED AS PENDING AND A SUPPLEMENTAL REPORT SHALL BE FILED WITH THE BUREAU OF VITAL STATISTICS AND THIS REPORT SHALL BE MADE PART OF THE DEATH CERTIFICATE, AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 32-8-325(A)(1), RELATING TO THE RECEIPT OF INSTRUCTIONS FOR CREMATION, TO PROVIDE THAT A DEATH CERTIFICATE ABSTRACT IS SUFFICIENT TO AUTHORIZE CREMATIONS; AND TO AMEND SECTION 32-8-340(A), RELATING TO THE TIME PERIOD PRIOR TO CREMATION, TO CONFORM TO AMENDMENTS ALLOWING FOR THE USE OF A DEATH CERTIFICATE ABSTRACT.

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

S. 341 -- Senator Kimpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-37-65 SO AS TO PROVIDE THAT EVERY HOSPITAL IN THIS STATE SHALL PROVIDE THE PARENTS OF EACH NEWBORN BABY DELIVERED IN THE HOSPITAL CERTAIN EDUCATIONAL INFORMATION ON RENAL MEDULLARY CARCINOMA AND THE DEBILITATING EFFECT OF THIS RARE KIDNEY CANCER ASSOCIATED WITH THE SICKLE CELL TRAIT, AND TO PROVIDE A HOSPITAL IS NOT REQUIRED TO PROVIDE OR PAY FOR RENAL MEDULLARY CARCINOMA TESTING.

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

S. 474 -- Senator O'Dell: A BILL TO AMEND SECTION 44-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHAPTER DEFINITIONS, SO AS TO ADD AND DEFINE THE TERM "AUTHORIZED HEALTH CARE PROVIDER"; TO AMEND SECTION 44-22-60, RELATING TO PATIENTS' RIGHTS, SO AS TO ALLOW AN AUTHORIZED HEALTH CARE PROVIDER TO PERFORM THE REQUIRED INITIAL EXAMINATION; AND TO AMEND SECTION 44-22-140, RELATING TO AUTHORIZATION OF MEDICATIONS AND TREATMENT GIVEN OR ADMINISTERED TO A PATIENT, SO AS TO ALLOW AN AUTHORIZED HEALTH CARE PROVIDER TO PERFORM THESE FUNCTIONS.

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

S. 512 -- Senators Sheheen, McElveen, Lourie and L. Martin: A BILL TO AMEND SECTION 6-13-90 OF THE 1976 CODE, RELATING TO WILFUL DAMAGE TO A WATER SYSTEM, TO PROVIDE DIFFERENT PENALTIES FOR VIOLATIONS OF THE SECTION BASED UPON THE AMOUNT OF PROPERTY DAMAGE; AND TO PROVIDE THAT ALL OFFENSES OF THIS NATURE SHALL BE SUBJECT TO THIS PENALTY.

Referred to Committee on Judiciary

S. 586 -- Senators L. Martin, Sheheen, Massey and Campsen: A BILL TO AMEND SECTION 1-11-470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITATIONS ON A CONSTITUTIONAL OFFICER'S USE OF FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY, SO AS TO CHANGE REFERENCES FROM THE BUDGET AND CONTROL BOARD TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND CHAPTER 30 OF TITLE 1 OF THE 1976 CODE, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO PROVIDE CORRECT REFERENCES TO ESTABLISHING AUTHORITY OR DUTIES FOR EACH DEPARTMENT AND DELETE LANGUAGE CONCERNING GOVERNMENT AGENCY TRANSFERS THAT HAVE BEEN ACCOMPLISHED; TO AMEND SECTION 2-13-240, RELATING TO DISTRIBUTION OF CODE SETS BY THE LEGISLATIVE COUNCIL, SO AS TO PROVIDE THAT THE LEGISLATIVE COUNCIL, AS IT DETERMINES IN THE BEST INTERESTS OF THE STATE, MAY DISTRIBUTE OR SELL CODE OF LAWS, SUPPLEMENTS, OR REPLACEMENT VOLUMES TO PUBLIC SECTOR ENTITIES EXCEPT THAT IT MUST NOT CHARGE THE GENERAL ASSEMBLY FOR CODES PLACED IN THE STATEHOUSE OR GRESSETTE OR BLATT BUILDINGS; TO AMEND SECTION 48-4-10, RELATING TO CREATION OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO DELETE PROVISIONS CONCERNING GOVERNMENT AGENCY TRANSFERS THAT HAVE BEEN ACCOMPLISHED; TO AMEND SECTION 58-3-580, RELATING TO STAFF ORGANIZATION AND ALLOCATION IN THE OFFICE OF REGULATORY STAFF, SO AS TO DELETE PROVISIONS THAT HAVE BEEN ACCOMPLISHED AND TO CLARIFY THE EXECUTIVE DIRECTOR'S AUTHORITY CONCERNING OFFICE PERSONNEL; TO AMEND SECTION 63-19-360, RELATING TO INSTITUTIONAL SERVICES, SO AS TO DELETE LANGUAGE CONCERNING REPORTS THAT ALREADY HAVE BEEN COMPLETED AND TO PROVIDE THAT FUTURE REPORTS BE MADE TO THE DEPARTMENT OF ADMINISTRATION INSTEAD OF THE BUDGET AND CONTROL BOARD, WHICH WILL BE ABOLISHED JULY 1, 2015, AS PROVIDED BY ACT 121 OF 2014; AND TO REPEAL SECTION 1-11-22, RELATING TO THE ORGANIZATION OF THE BUDGET AND CONTROL BOARD STAFF; SECTION 48-22-20, RELATING TO POWERS DEVOLVED UPON THE DEPARTMENT OF NATURAL RESOURCES BY THE 1993 RESTRUCTURING ACT; AND SECTION 59-150-355, RELATING TO EDUCATION LOTTERY APPROPRIATIONS AND USES, SO AS TO DELETE PROVISIONS CONCERNING TRANSFERS OF OR ACTIONS BY STATE GOVERNMENT AGENCIES THAT HAVE BEEN ACCOMPLISHED.

Referred to Committee on Judiciary

S. 667 -- Senators Hayes, Williams, L. Martin, Alexander and Peeler: A BILL TO AMEND SECTION 1-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION AND BOUNDARIES OF THE STATE, SO AS TO CLARIFY THE BOUNDARY BETWEEN NORTH CAROLINA AND SOUTH CAROLINA ALONG HORRY, DILLON, MARLBORO, CHESTERFIELD, LANCASTER, YORK, CHEROKEE AND SPARTANBURG COUNTIES AND TO PROVIDE ADDITIONAL INFORMATION ABOUT THE PLATS DESCRIBING THE LOCATION OF THE BOUNDARY BETWEEN NORTH CAROLINA AND SOUTH CAROLINA ALONG GREENVILLE, PICKENS, AND OCONEE COUNTIES; BY ADDING SECTION 12-2-110 SO AS TO PROVIDE THAT "NEW JOBS" ARE NOT CREATED IN SOUTH CAROLINA BY EMPLOYEES WHOSE WORK LOCATION IS CHANGED FROM NORTH CAROLINA TO SOUTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION, NOR IS THERE ANY NEW INVESTMENT IN SOUTH CAROLINA AS A RESULT OF PROPERTY THAT CHANGES LOCATION FROM NORTH CAROLINA TO SOUTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-2-120 SO AS TO PROVIDE FOR THE MANNER AND APPLICATION OF TAX ASSESSMENTS AND REFUNDS FOR THE PERIOD PRIOR TO THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-2-130 SO AS TO PROVIDE THAT IN THE YEAR CONTAINING THE DATE OF THE BOUNDARY CLARIFICATION, THE DEPARTMENT OF REVENUE HAS THE AUTHORITY TO COMPROMISE TAXES THAT RESULT IN TAXATION IN BOTH SOUTH CAROLINA AND NORTH CAROLINA SOLELY BECAUSE OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-6-5600 SO AS TO PROVIDE FOR THE INCOME TAX TREATMENT OF INDIVIDUALS AND BUSINESSES WHOSE STATE OF RESIDENCE OR PROPERTY LOCATION CHANGES AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-21-820 SO AS TO PROVIDE FOR THE MANNER OF CIGARETTE AND TOBACCO PRODUCTS TAXATION AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-24-160 SO AS TO PROVIDE THAT IF, AS A RESULT OF THE BOUNDARY CLARIFICATION, PROPERTY IS DEEMED TO HAVE CHANGED LOCATIONS FROM NORTH CAROLINA TO SOUTH CAROLINA AND IF SOLELY AS A RESULT OF THIS CHANGE, A DEED IS FILED IN SOUTH CAROLINA, NO DEED RECORDING FEES ARE DUE ON THIS FILING AND NO COUNTY FILING FEES MAY BE CHARGED; BY ADDING SECTION 12-28-350 SO AS TO PROVIDE THAT A RETAILER THAT SELLS MOTOR FUEL WHOSE BUSINESS LOCATION CHANGES FROM SOUTH CAROLINA TO NORTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION IS ALLOWED A REFUND OF SOUTH CAROLINA MOTOR FUEL TAXES OR USER FEES IF NORTH CAROLINA REQUIRES THAT RETAILER TO PAY THE NORTH CAROLINA MOTOR FUEL TAXES OR USER FEES ON THAT SAME FUEL; BY ADDING SECTION 12-36-2695 SO AS TO PROVIDE FOR THE MANNER IN WHICH SALES AND USE TAXES AND ADMISSIONS TAXES MUST BE COLLECTED AND PAID AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-37-140 SO AS TO PROVIDE FOR HOW CERTAIN REAL AND PERSONAL PROPERTY IS SUBJECT TO PROPERTY TAXATION, AND FOR PROCEDURAL MATTERS RELATING TO THIS TAXATION, INCLUDING APPLICATION LIEN DATES; BY ADDING SECTION 12-37-145 SO AS TO FURTHER PROVIDE FOR MOTOR VEHICLE LICENSE REGISTRATION AND MOTOR VEHICLE PERSONAL PROPERTY TAXES AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-37-150 SO AS TO PROVIDE THAT IF AS A RESULT OF THE BOUNDARY CLARIFICATION AN INDIVIDUAL IS REQUIRED TO REGISTER HIS PERSONAL MOTOR VEHICLE IN SOUTH CAROLINA AND IF THE PROPERTY TAXES ON THAT MOTOR VEHICLE WOULD HAVE BEEN LESS IN NORTH CAROLINA, THE INDIVIDUAL MAY RECEIVE A TAX REBATE FROM THE SOUTH CAROLINA COUNTY FOR THE DIFFERENCE BETWEEN THE TAX THE INDIVIDUAL WAS REQUIRED TO PAY IN SOUTH CAROLINA AND THE INDIVIDUAL WAS REQUIRED TO PAY IN NORTH CAROLINA ON THAT SAME VEHICLE; BY ADDING SECTION 12-37-155 SO AS TO PROVIDE THAT FOR 2016 ONLY, THE LIEN DATE FOR NONBUSINESS PERSONAL PROPERTY, OTHER THAN MOTOR VEHICLES, IS JANUARY 1, 2016, FOR INDIVIDUALS WHOSE STATE OF RESIDENCY CHANGES FROM NORTH CAROLINA TO SOUTH CAROLINA SOLELY AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 29-3-800 SO AS TO PROVIDE SPECIFIED PROCEDURES IN REGARD TO THE FORECLOSURE OF MORTGAGES AND OTHER LIENS ENCUMBERING AFFECTED LANDS; BY ADDING SECTION 30-5-270 SO AS TO PROVIDE FOR SPECIAL RECORDING REQUIREMENTS FOR DEEDS, PLATS, MORTGAGES, AND OTHER INSTRUMENTS REGARDING REAL PROPERTY IN THE AFFECTED JURISDICTIONS, AND TO REQUIRE A NOTICE OF THE STATE BOUNDARY CLARIFICATION TO BE PROVIDED BY THE REGISTER OF DEEDS OR CLERKS OF COURT IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 44-1-310 SO AS TO PROVIDE A COMPLIANCE SCHEDULE FOR ENVIRONMENTAL PERMITTEES IMPACTED BY THE BOUNDARY CLARIFICATION; BY ADDING SECTION 44-6-110 SO AS TO PROVIDE THAT A MEDICAID PROVIDER OUTSIDE OF THE GEOGRAPHICAL BOUNDARY OF SOUTH CAROLINA BUT WITHIN THE SOUTH CAROLINA MEDICAID SERVICE AREA SHALL NOT LOSE STATUS AS A MEDICAID PROVIDER AS A RESULT OF THE CLARIFICATION OF THE SOUTH CAROLINA - NORTH CAROLINA BORDER; BY ADDING CHAPTER 2 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH UTILITY SERVICES MUST BE PROVIDED IN AREAS AFFECTED BY THE BOUNDARY CLARIFICATION; BY ADDING SECTION 59-63-550 SO AS TO FURTHER PROVIDE FOR SCHOOL ATTENDANCE PROCEDURES AND REQUIREMENTS FOR CHILDREN RESIDING IN SCHOOL DISTRICTS AFFECTED BY THE BOUNDARY CLARIFICATION; AND BY ADDING SECTION 59-112-150 SO AS TO FURTHER PROVIDE FOR IN-STATE TUITION RATES AND THE AWARDING OF OTHER STATE-SUPPORTED SCHOLARSHIPS AND GRANTS TO INDEPENDENT PERSONS AND THEIR DEPENDENTS AFFECTED BY THE BOUNDARY CLARIFICATION.

Referred to Committee on Judiciary

Rep. FELDER 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. 3929 -- Rep. W. J. McLeod: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE CARRYING BOUNDARY STREET OVER THE CSX AND NORFOLK SOUTHERN RAILROAD TRACKS IN THE CITY OF NEWBERRY AS THE "COUNTY COUNCILMAN JOHN E. CALDWELL BRIDGE" IN HONOR OF FORMER NEWBERRY COUNTY COUNCILMAN JOHN E. CALDWELL AND TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE SIGNS AND MARKERS REFLECTING THIS DESIGNATION.

H. 4026 -- Reps. Erickson, Collins, M. S. McLeod, 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, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, 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, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, 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 THAT ABUSE AND NEGLECT OF CHILDREN ARE SIGNIFICANT PROBLEMS AND TO DECLARE TUESDAY, APRIL 28, 2015, AS "CHILDREN'S ADVOCACY DAY" IN SOUTH CAROLINA.

H. 4041 -- Reps. J. E. 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, Jordan, 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, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE JUNIOR LEAGUE OF COLUMBIA FOR ITS SIGNIFICANT CONTRIBUTIONS TO THE COMMUNITY AND TO CONGRATULATE THE JUNIOR LEAGUE OF COLUMBIA ON CELEBRATING ITS NINETIETH ANNIVERSARY ON SEPTEMBER 23, 2014.

**ADJOURNMENT**

At 6:12 p.m. the House, in accordance with the motion of Rep. HENEGAN, adjourned in memory of James "Jim" Myers of Clio, to meet at 10:00 a.m. tomorrow.

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