

NO. 62

**JOURNAL**  
of the  
**HOUSE OF REPRESENTATIVES**  
of the  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

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TUESDAY, MAY 12, 2015  
(STATEWIDE SESSION)

**Tuesday, May 12, 2015**  
**(Statewide Session)**

~~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 Titus 1:9: "He must have a firm grasp of the word that is trustworthy."

Let us pray. Lord God, may Your trustworthy word shape our lives and give these Representatives and staff the needed information to be successful in the work assigned to them. Bless each one with success in working for what is best for the people of this State. Continue to bless our great Nation, State and those who govern. Protect our defenders of freedom 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.

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4471

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Section 44-7-260

Standards for Licensing Ambulatory Surgical Facilities

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

Referred to Medical, Military, Public and Municipal Affairs Committee

Legislative Review Expiration May 13, 2015

Revised: May 27, 2015

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4464

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Section 44-7-260

**TUESDAY, MAY 12, 2015**

Standards for Licensing Facilities that Treat Individuals for Psychoactive Substance Abuse or Dependence  
Received by Speaker of the House of Representatives January 13, 2015  
Referred to Medical, Military, Public and Municipal Affairs Committee  
Legislative Review Expiration May 13, 2015  
Revised: May 15, 2015  
Revised: May 27, 2015

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 7, 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

Richland County Master-in Equity  
Term Commencing: April 30, 2015  
Term Expiring: April 30, 2021

The Honorable Joseph M. Strickland  
410 Hampton Trace Lane  
Columbia, South Carolina 29209

Very respectfully,  
President of the Senate  
Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 4153 -- Rep. W. J. McLeod: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE NEWBERRY HIGH SCHOOL FOOTBALL TEAM FOR ITS OUTSTANDING SEASON AND FOR CAPTURING THE 2014 CLASS AA UPPER STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

[HJ]

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**HOUSE RESOLUTION**

The following was introduced:

H. 4154 -- Reps. G. M. Smith, Weeks, 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. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE WILSON HALL GOLF TEAM OF SUMTER COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2015 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE 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 Wilson Hall golf team of Sumter County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2015 South Carolina Independent School Association Class AAA State Championship.

The Resolution was adopted.

[HJ]

**TUESDAY, MAY 12, 2015**

**HOUSE RESOLUTION**

The following was introduced:

H. 4155 -- Reps. G. M. Smith, Weeks, 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. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE WILSON HALL GOLF TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2015 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE CHAMPIONSHIP.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4156 -- Reps. Herbkersman, Bowers and Newton: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE COLLIN SOUCY FOR BEING NAMED THE 2015 REPRESENTATIVE FOR A DAY IN A CONTEST SPONSORED BY SENATOR CLEMENTA C. PINCKNEY TO PROMOTE CIVIC ENGAGEMENT.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 4157 -- Rep. Hiott: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR BETTY MCDANIEL OF PICKENS, A LIFELONG EDUCATOR, FOR HER TIRELESS AND ENTHUSIAST WORK IN SUPPORT OF THE CULTURAL HERITAGE AND TRADITIONAL MUSIC IN THE UPSTATE AND TO CONGRATULATE HER FOR RECEIVING THE 2015 JEAN LANEY HARRIS FOLK HERITAGE AWARD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4158 -- Reprs. McCoy, 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, 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 ACKNOWLEDGE THE EXTRAORDINARY ACHIEVEMENTS OF SAMUEL "SAM" FRANCIS CUSICK HAZELTINE AND TO DECLARE FRIDAY, MAY 15, 2015, AS "SAMUEL 'SAM' FRANCIS CUSICK HAZELTINE DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

**TUESDAY, MAY 12, 2015**

**HOUSE RESOLUTION**

The following was introduced:

H. 4160 -- Reps. Tallon, Allison, Brannon, Chumley, Cole, Forrester, Hicks, Mitchell, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, G. A. Brown, R. L. Brown, Burns, Clary, Clemmons, Clyburn, Cobb-Hunter, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, 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, 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, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO COMMEND AND SALUTE DEPUTY MICHAEL HUBBARD OF SPARTANBURG COUNTY FOR THE LIFE-SAVING ACTIONS HE DISPLAYED ON APRIL 13, 2015, IN A CRISIS INTERVENTION AND RESCUE.

The Resolution was adopted.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 4159 -- Rep. Anthony: A BILL TO AMEND ACT 164 OF 2003, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THE ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC

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**INFORMATION PERTAINING TO THE REAPPORTIONED  
ELECTION DISTRICTS.**

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

**ROLL CALL**

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

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bowers
Bradley	Brannon	G. A. Brown
R. L. Brown	Burns	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Corley	Crosby	Daning
Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Gagnon
Gambrell	George	Gilliard
Goldfinch	Hamilton	Hardee
Hardwick	Hart	Hayes
Henegan	Hicks	Hill
Hiott	Hixon	Hosey
Howard	Jefferson	Johnson
Jordan	Kennedy	King
Kirby	Knight	Loftis
Long	Lowe	Lucas
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Murphy	Nanney	Neal
Newton	Norman	Norrell
Ott	Pitts	Pope
Putnam	Ridgeway	Riley
Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stringer
Tallon	Taylor	Thayer

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Tinkler	Weeks	Wells
White	Williams	Willis
Yow		

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, May 12.

Kenny Bingham	Laurie Funderburk
William G. Herbkersman	Jenny A. Horne
Chip Huggins	H. B. "Chip" Limehouse
David Mack	Richard "Rick" Quinn
Gary Simrill	Leon Stavrinakis
McLain R. "Mac" Toole	Jackson "Seth" Whipper
Jerry Govan	Kenneth F. Hodges

**Total Present--120**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HENDERSON a leave of absence for the day to attend a Women in Government conference.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. G. M. SMITH a leave of absence for the remainder of the day.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

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**STATEMENTS OF ATTENDANCE**

Reps. MCEACHERN and BANNISTER signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Thursday, May 7.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Jonathan P. Wright of Greenville was the Doctor of the Day for the General Assembly.

**CO-SPONSORS**

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. 3325  
Date: ADD:  
05/12/15 GILLIARD

**CO-SPONSOR ADDED**

Bill Number: H. 4103  
Date: ADD:  
05/12/15 MCKNIGHT

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**CO-SPONSORS ADDED**

Bill Number: H. 4152  
Date: ADD:  
05/12/15 YOW, LONG, JORDAN, MERRILL, COLE,  
CLYBURN, HOSEY, CORLEY, LIMEHOUSE,  
ANDERSON, BRANNON, ALLISON and  
KENNEDY

**H. 4080--MOTION TO RECONSIDER TABLED**

The motion of Rep. MERRILL to reconsider the vote whereby the following Joint Resolution was given second reading, was taken up:

H. 4080 -- Reps. W. J. McLeod and Mitchell: 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.

Rep. MERRILL moved to table the motion to reconsider, which was agreed to.

**H. 4080--SENT TO THE SENATE**

The following Joint Resolution was taken up:

H. 4080 -- Reps. W. J. McLeod and Mitchell: 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.

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

**H. 3878--DEBATE ADJOURNED**

The following Bill was taken up:

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

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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.

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

**S. 426--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. WEEKS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 2

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Bales	Ballentine
Bamberg	Bannister	Bedingfield

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Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Chumley	Clary	Clemmons
Clyburn	Cole	Collins
Corley	Delleney	Douglas
Duckworth	Erickson	Felder
Finlay	Forrester	Gagnon
Gambrell	George	Gilliard
Goldfinch	Hamilton	Hardee
Hardwick	Hart	Hayes
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon
Horne	Hosey	Jefferson
Jordan	Kennedy	King
Kirby	Knight	Limehouse
Loftis	Lowe	Lucas
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
D. C. Moss	V. S. Moss	Murphy
Nanney	Neal	Newton
Norman	Norrell	Pitts
Pope	Putnam	Ridgeway
Riley	Rivers	Robinson-Simpson
Rutherford	Ryhal	Sandifer
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stringer
Tallon	Taylor	Thayer
Tinkler	Toole	Weeks
Wells	White	Williams
Willis	Yow	

**Total--98**

Those who voted in the negative are:

Crosby                      Daning

**Total--2**

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

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**SPEAKER *PRO TEMPORE* IN CHAIR**

**S. 183--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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

[HJ]

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THAT HUMAN TRAFFICKING VICTIMS ARE CONSIDERED VICTIMS REGARDLESS OF IMMIGRATION STATUS, TO PROVIDE THAT THE PICTURES AND IMAGES OF VICTIMS MUST BE KEPT CONFIDENTIAL, AND TO PROVIDE THE PROTOCOL A LAW ENFORCEMENT OFFICER SHALL FOLLOW WHEN INTERACTING WITH A VICTIM; AND BY ADDING SECTION 16-3-2100, SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESSES.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 183 (COUNCIL\MS\183C001.MS.AHB15), which was adopted:

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

/ SECTION 1. Section 16-3-2020 of the 1976 Code is amended to read:

“Section 16-3-2020. (A) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, knowing that the victim will be subjected to sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in this subsection, is guilty of trafficking in persons.

(B) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, for the purposes of sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in subsection (A), is guilty of trafficking in persons.

(C) For a first offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than fifteen years.

(D) For a second offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years.

(E) For a third or subsequent offense, the person is guilty of a felony, and, upon conviction, must be imprisoned not more than forty-five years.

(F) If the victim of an offense contained in this section is under the age of eighteen, an additional term of fifteen years may be imposed in

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addition and must be consecutive to the penalty prescribed for a violation of this section.

(G) A person who aids, abets, or conspires with another person to violate the criminal provisions of this section must be punished in the same manner as provided for the principal offender and is considered a trafficker. A person is considered a trafficker if he knowingly gives, agrees to give, or offers to give anything of value so that any person may engage in commercial sexual activity with another person when he knows that the other person is a victim of trafficking in persons.

(H) A business owner who uses his business in a way that participates in a violation of this article, upon conviction, must be imprisoned for not more than ten years in addition to the penalties provided in this section for each violation.

(I) A plea of guilty or the legal equivalent entered pursuant to a provision of this article by an offender entitles the victim of trafficking in persons to all benefits, rights, and compensation granted pursuant to Section 16-3-1110.

(J) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if the offenses were committed as a direct result of, or incidental or related to, trafficking. A victim of trafficking in persons convicted of a violation of this article or prostitution may motion the court to vacate the conviction and expunge the record of the conviction. The court may grant the motion on a finding that the person's participation in the offense was a direct result of being a victim. A victim of trafficking in persons is not subject to prosecution pursuant to this article or prostitution, if the victim was a minor at the time of the offense and committed the offense as a direct result of, or incidental or related to, trafficking.

(K) Evidence of the following facts or conditions do not constitute a defense in a prosecution for a violation of this article, nor does the evidence preclude a finding of a violation:

(1) the victim's sexual history or history of commercial sexual activity, the specific instances of the victim's sexual conduct, opinion evidence of the victim's sexual conduct, and reputation evidence of the victim's sexual conduct;

(2) the victim's connection by blood or marriage to a defendant in the case or to anyone involved in the victim's trafficking;

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(3) the implied or express consent of a victim to acts which violate the provisions of this section do not constitute a defense to violations of this section;

(4) age of consent to sex, legal age of marriage, or other discretionary age; and

(5) mistake as to the victim's age, even if the mistake is reasonable.

(L) A person who violates the provisions of this section may be prosecuted by the State Grand Jury, pursuant to Section 14-7-1600, when a victim is trafficked in more than one county or a trafficker commits the offense of trafficking in persons in more than one county."

SECTION 2. Section 16-3-2030(A) of the 1976 Code is amended to read:

"(A) The principal owners of a business, a business entity, including a corporation, partnership, charitable organization, or another legal entity, that knowingly aids or participates in an offense provided in this article is criminally liable for the offense and will be subject to a fine or loss of business license in the State, or both. In addition, the court may consider disgorgement of profit from activity in violation of this article and disbarment from state and local government contracts."

SECTION 3. Section 16-3-2040(D) of the 1976 Code is amended to read:

"(D) Restitution for this section, pursuant to Section 16-3-1270, means payment for all injuries, specific losses, and expenses including, but not limited to, attorney's fees, sustained by a crime victim resulting from an offender's criminal conduct pursuant to Section 16-3-1110(12)(a). In addition, the court may order an amount representing the value of the victim's labor or services."

SECTION 4. Section 16-3-2050 of the 1976 Code is amended by adding an appropriately numbered subsection to read:

"( ) To the extent that funds are appropriated, the task force may make grants to or contract with a state agency, local government, or private victims' service organization to develop or expand service programs for victims. A recipient of a grant or contract shall report annually to the task force the number and demographic information of all victims receiving services pursuant to the grant or contract."

SECTION 5. If any section, subsection, item, subitem, paragraph, subparagraph, 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 this act, the General Assembly hereby declaring that it would have passed

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this act, and each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Rep. WEEKS 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 83; Nays 0

Those who voted in the affirmative are:

Anderson	Anthony	Atwater
Bales	Ballentine	Bannister
Bingham	Bowers	Bradley
Brannon	G. A. Brown	R. L. Brown
Burns	Clary	Clyburn
Cobb-Hunter	Cole	Collins
Corley	Crosby	Douglas
Duckworth	Felder	Forrester
Gagnon	Gambrell	George
Gilliard	Goldfinch	Hamilton
Hardee	Hardwick	Hart
Hayes	Henegan	Herbkersman
Hicks	Hill	Hiott
Hixon	Horne	Hosey
Huggins	Jefferson	Kennedy
Kirby	Knight	Limehouse
McCoy	McEachern	McKnight
M. S. McLeod	Merrill	D. C. Moss
V. S. Moss	Murphy	Nanney
Neal	Norman	Norrell
Ott	Pitts	Pope
Putnam	Riley	Rivers

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Robinson-Simpson	Rutherford	Ryhal
G. R. Smith	J. E. Smith	Sottile
Spires	Tallon	Taylor
Thayer	Tinkler	Toole
Weeks	White	Williams
Willis	Yow	

**Total--83**

Those who voted in the negative are:

**Total--0**

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

**S. 255--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 255 (COUNCIL\MS\255C001.MS.AHB15), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, by deleting Section 17-1-40(B)(1)(b) and inserting:

/ (b) Detention and correctional facilities shall retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed,

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detained, or incarcerated, for a period not to exceed three years and one hundred twenty days from the date of the expungement order to manage the facilities' statistical and professional information needs, and to defend the facilities and the facilities' employees during litigation proceedings, except that when an action, complaint, or inquiry has been initiated, the records, documentation and materials, and other reports and files may be retained as needed to address the action, complaint, or inquiry. The information is not a public document and is exempt from disclosure, except by court order. At the end of the three years and one hundred twenty days from the date of the expungement order, the records must be destroyed unless they are being retained to address an action, complaint, or inquiry that has been initiated. /

Amend the bill further, SECTION 2, Pages 4 and 5, by deleting Section 17-1-60(D) and inserting:

/ (D)(1) A person or entity who publishes on the person or entity's website the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina shall remove the arrest and booking records from the person or entity's website without requiring the payment of a fee or other consideration within thirty days of the receipt of a request to remove the arrest and booking records, if the request:

(a) is made in writing via certified mail, return receipt requested, to the registered agent, principal place of business, or primary residence of the person or entity who publishes the website;

(b) includes the person's name, date of arrest, and the name of the arresting law enforcement agency;

(c) contains certified documentation that the original charges stemming from the arrest were discharged, dismissed, expunged, or the person was found not guilty; and

(d) includes a complete and accurate description of where the arrest and booking records are located, including, but not limited to, the uniform resource locator (URL) and e-edition, if applicable.

(2) If the original charges stemming from the arrest were discharged or dismissed as a result of the person pleading to a lesser included offense, or a different offense, the person or entity who publishes the website is not required to remove the arrest and booking records from the person or entity's website; however, the person or entity shall revise the arrest and booking records published on the person or entity's website to reflect the lesser included offense, or different offense, instead of the original charges, without requiring the payment

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of a fee or other consideration within thirty days of the receipt of a request to remove the arrest and booking records pursuant to item (D)(1).

(3) This subsection does not apply to the following:

(a) motion picture producers and distributors, and their products as released in theaters, to DVD, pay-per-view, broadcast, cable and satellite television, as well as Internet services;

(b) acts done by the publisher, owner, agent, employee, or retailer of a newspaper, periodical, books, radio station, radio network, television station, television broadcast network, or cable television network in the publication or dissemination in print or electronically of:

(i) news, history, entertainment, or commentary; or

(ii) an advertisement of or for another person, when the publisher, owner, agent, or employee did not have actual knowledge of the false, misleading, or deceptive character of the advertisement, did not prepare the advertisement, or did not have a direct financial interest in the sale or distribution of the advertised product or service.

(4) A person or entity who violates this subsection is not subject to the criminal penalty provided in subsection (F); however, the person or entity is subject to a civil cause of action as provided in subsection (G). /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

#### **POINT OF ORDER**

Rep. DANING raised the Point of Order that under Rule 9.3, Amendment No. 1 to S. 255 was out of order in that it was not germane to the Bill.

Rep. WEEKS spoke against the Point of Order.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and stated that the Bill concerned the retention and expungement of arrest records and that Amendment No. 1's substantial effect was very similar in that regard. Therefore, he overruled the Point of Order and stated that Amendment No. 1 was germane to S. 255.

The question then recurred to the adoption of the amendment.

The amendment was then adopted.

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Rep. RUTHERFORD proposed the following Amendment No. 2 to S. 255 (COUNCIL\MS\255C002.MS.AHB15):

Amend the bill, as and if amended, SECTION 1, Page 2, Section 17-1-40(B), immediately after line 25, by adding an appropriately numbered item to read:

/ ( ) The Department of Probation, Parole and Pardon Services shall notify the State Law Enforcement Division when a person receives a pardon for a criminal offense in this State, and five years from the date of the pardon, SLED shall cause all records, as delineated in this subsection, of the offense to be destroyed or expunged in their entirety. Such expungement is automatic, not requiring action by the person pardoned and the person pardoned may not be required to pay a fee for the expungement. SLED shall notify all appropriate law enforcement or other agencies which may have any of the records and ensure that the provisions of this item are complied with in full. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

#### **POINT OF ORDER**

Rep. TALLON raised the Point of Order that under Rule 9.3, Amendment No. 2 to S. 255 was out of order in that it was not germane to the Bill.

Rep. RUTHERFORD spoke against the Point of Order.

Rep. TALLON spoke to the Point of Order

The SPEAKER *PRO TEMPORE* overruled the Point of Order and stated that the Bill dealt with the disposal of arrest records, the publishing of arrest records, the expungement of arrest records, and how arrest records would be handled. He stated that Amendment No. 2 concerned the process for expungement of records. He overruled the Point of Order and stated that Amendment No. 2 was germane to Bill S. 255.

Reps. TALLON, RUTHERFORD, JEFFERSON, KING, GAGNON, W. J. MCLEOD, HART, MCEACHERN, DANING, CROSBY, BRADLEY, CLYBURN, HOSEY, ANDERSON, G. A. BROWN, R. L. BROWN, ALLISON, FORRESTER, CLARY, KIRBY, HENEGAN, HIOTT, KENNEDY, G. R. SMITH, NORMAN, WILLIAMS, DILLARD and WEEKS requested debate on the Bill.

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**H. 3852--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3852 -- Reps. Tallon, Bannister, Loftis, Burns, Brannon, Allison, Ballentine, Bamberg, Bedingfield, Bingham, Clary, Clemmons, Cole, Collins, Delleney, Duckworth, Finlay, Forrester, Gagnon, Gambrell, Goldfinch, Hamilton, Hardee, Hardwick, Henderson, Hicks, Hiott, Home, Huggins, Kennedy, Kirby, Long, McCoy, Merrill, D. C. Moss, V. S. Moss, Newton, Norman, Norrell, Pope, Quinn, Rutherford, Ryhal, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Taylor, Thayer, Willis, Yow, Bradley and Anthony: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-18-75 SO AS TO PROVIDE FOR ESCHEATMENT TO THE STATE OF UNCLAIMED UNITED STATES SAVINGS BONDS, TO PROVIDE FOR JUDICIAL DETERMINATION OF ESCHEATMENT, TO PROVIDE FOR PROCEDURES FOR CHALLENGING ESCHEATMENT, TO PROVIDE FOR DEPOSIT OF THE PROCEEDS OF ESCHEATMENT; AND BY ADDING SECTION 27-18-76 SO AS TO PROVIDE THAT A PERSON CLAIMING AN INTEREST IN A UNITED STATES SAVINGS BOND MAY FILE A CLAIM WITH THE ADMINISTRATOR ADMINISTERING THE UNIFORM UNCLAIMED PROPERTY ACT AND TO PROVIDE FOR LIMITATIONS ON SUCH CLAIMS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3852 (COUNCIL\DKA\3852C001.DKA.SD15), which was adopted:

Amend the bill, as and if amended, by Section 27-18-75(D), as contained in SECTION 1, by striking the subsection and inserting:

/ (D) The administrator may be reimbursed for the costs of the civil action required by this section from the proceeds of the savings bonds which have escheated to the State under the action and which have been redeemed. To the extent the proceeds, if any, are insufficient to cover the costs of a civil action required by this section, the administrator may deduct the costs from other unclaimed funds received under this chapter before depositing the funds to the credit of the general fund in the manner provided in Section 27-18-240(B). /

Re-number sections to conform.

Amend title to conform.

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Rep. HORNE 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 3

Those who voted in the affirmative are:

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	Crosby
Daning	Douglas	Duckworth
Felder	Finlay	Forrester
Gagnon	Gambrell	George
Gilliard	Goldfinch	Hamilton
Hardee	Hardwick	Hart
Hayes	Henegan	Herbkersman
Hiott	Horne	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	Kennedy
King	Kirby	Knight
Limehouse	Loftis	Lowe
Lucas	McCoy	McEachern
McKnight	M. S. McLeod	W. J. McLeod
Merrill	Mitchell	D. C. Moss
V. S. Moss	Murphy	Nanney
Neal	Newton	Norman
Norrell	Ott	Pitts
Pope	Quinn	Ridgeway
Riley	Rivers	Rutherford
Ryhal	Sandifer	G. R. Smith
J. E. Smith	Sottile	Southard
Spires	Stringer	Tallon
Taylor	Thayer	Tinkler

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Toole	Weeks	Wells
Whipper	White	Williams
Willis	Yow	

**Total--104**

Those who voted in the negative are:

Hill	Putnam	Robinson-Simpson
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**Total--3**

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

**H. 3325--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3325 -- Reps. J. E. Smith, Hodges, Weeks, Whipper, Mitchell, Govan and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 61, TITLE 15 SO AS TO ENACT THE "UNIFORM PARTITION OF HEIRS' PROPERTY ACT"; TO DEFINE NECESSARY TERMS; TO PROVIDE FOR NOTICE BY PUBLICATION IN A PARTITION ACTION, TO PROVIDE PROCEDURES FOR A COURT TO FOLLOW IN DETERMINING THE VALUE OF THE PROPERTY AND FACTORS FOR A COURT TO CONSIDER FOR DIFFERENT TYPES OF PARTITIONS, TO PROVIDE FOR OPEN-MARKET SALES, SEALED BIDS, OR AUCTIONS, TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 61 AS ARTICLE 1; TO AMEND SECTION 15-61-10, RELATING TO PARTITION ACTIONS, SO AS TO PROVIDE FOR A COURT HEARING TO DETERMINE IF THE PARTITION ACTION CONCERNS HEIRS' PROPERTY; AND TO AMEND SECTION 15-61-100, RELATING TO WRITS OF PARTITION, SO AS TO DELETE OBSOLETE REFERENCES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3325 (COUNCIL\NBD\3325C001.NBD.CZ15), which was adopted:

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

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/ SECTION 1. Chapter 61, Title 15 of the 1976 Code is amended by adding:

“Article 3

Uniform Partition of Heirs’ Property Act

Section 15-61-310. This article may be cited as the ‘Uniform Partition of Heirs’ Property Act’.

Section 15-61-320. As used in this article:

(1) ‘Ascendant’ means an individual who precedes another individual in lineage, in the direct line of ascent from the other individual.

(2) ‘Collateral’ means an individual who is related to another individual under the law of intestate succession of this State, but who is not the other individual’s ascendant or descendant.

(3) ‘Descendant’ means an individual who follows another individual in lineage, in the direct line of descent from the other individual.

(4) ‘Determination of value’ means a court order determining the fair market value of heirs’ property under Section 15-61-360 or Section 15-61-400 or adopting the valuation of the property agreed to by all cotenants.

(5) ‘Heirs’ property’ means real property held in tenancy in common that satisfies all of the following requirements as of the filing of a partition action:

(a) there is no agreement in a record binding all of the cotenants that governs the partition of the property;

(b) one or more of the cotenants acquired title from a relative, whether living or deceased; and

(c) any of the following applies:

(i) twenty percent or more of the interests are held by cotenants who are relatives;

(ii) twenty percent or more of the interests are held by an individual who acquired title from a relative, whether living or deceased; or

(iii) twenty percent or more of the cotenants are relatives.

(6) ‘Manifest prejudice’ means a result that is obviously unfair or shocking to the conscience and is direct, obvious, and observable when considering the factors under Section 15-61-390(A).

(7) ‘Partition by allotment’ means a court ordered partition of the heirs’ property where ownership to all or a portion of the heirs’ property is granted to one or more cotenants proportionate in value to their interests in the entire heirs’ property parcel, with adjustments being

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made for payment to compensate other cotenants for the value of their respective interests in the heirs' property.

(8) 'Partition by sale' means a court ordered sale of the entire heirs' property, whether by auction, sealed bids, or open market sale, conducted under Section 15-61-400.

(9) 'Partition in kind' means the division of heirs' property into physically distinct and separately titled parcels.

(10) 'Record' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(11) 'Relative' means an ascendant, descendant, or collateral, or an individual otherwise related to another individual by blood, marriage, adoption, or law of this State other than this article, and for purposes of this article, who owned or owns an interest in the heirs' property.

(12) 'Time computed' means computation of time as prescribed by this section, which shall be governed by Rule 6, South Carolina Rules of Civil Procedure, so that when the period of time prescribed or allowed is seven days or less, intermediate Saturdays, Sundays, and holidays are excluded in the computation.

Section 15-61-330. (A) In an action to partition real property under Article 1, upon motion of a party or from statements contained in the pleadings, the court shall determine, in a preliminary hearing held after the filing of the action, whether the property is heirs' property. If the court determines that the property is heirs' property, the partition of the heirs' property is governed by the provisions of this article, unless all cotenants otherwise agree in a record.

(B) This article supplements the provisions of Article 1 and if the provisions of this article differ from the provisions of Article 1, the provisions of this article control.

Section 15-61-340. (A) This article does not limit or affect the method by which service of pleading in a partition action may be made.

(B) If the plaintiff in a partition action seeks notice by publication and the court determines, pursuant to Section 15-61-330, that the property may be heirs' property, the plaintiff, not later than ten days after the determination of the court, shall post and maintain while the action is pending a conspicuous sign on the property that is the subject of the action. The sign must state that the action has commenced and identify the name and address of the court and the common designation by which the property is known. The court may require, through its order, the plaintiff to publish on the sign the name of the plaintiff and the known defendants.

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Section 15-61-350. Pursuant to Rule 71, South Carolina Rules of Civil Procedure, this article does not affect a court's power, in partition proceedings, to dispense with the issuing of a writ of partition when, in the judgment of the court, it would involve unnecessary expense to issue such a writ. A court may, in all partition proceedings, without recourse to such writ, determine by means of testimony taken before the proper officer and reported to the court whether a partition in kind or partition by allotment among the parties is practicable or expedient and, when such cannot be fairly and equally made, may order the sale of the property and a division of the proceeds according to the rights of the parties. If a court issues a writ of partition and appoints commissioners pursuant to Rule 71, South Carolina Rules of Civil Procedure, each commissioner, in addition to the requirements and disqualifications applicable to commissioners in Rule 71, must be disinterested and impartial and not a party to or a participant in the action.

Section 15-61-360. (A) Except as otherwise provided in subsections (B) and (C), if a court determines that property that is the subject of a partition action is heirs' property, the court shall determine the fair market value of the property by ordering an appraisal pursuant to subsection (D).

(B) If all cotenants have agreed to the value of the property or to another method of valuation, the court shall adopt that value or the value produced by the agreed method of valuation.

(C) If the court determines that the evidentiary value of an appraisal is outweighed by the cost of the appraisal, the court, after an evidentiary hearing, shall establish by order the fair market value of the property. The Clerk of Court shall send notice of the order to all parties not in default. Within one week from the date notice was sent, the party that filed the partition action shall send a copy of the order establishing the fair market value of the property to all other cotenants with a known address.

(D) If a court orders an appraisal, the court shall appoint a disinterested real estate appraiser licensed in this State to determine the fair market value of the property assuming sole ownership of the fee simple estate. On appointment of the appraiser, the court shall order the appraiser to file a sworn or verified appraisal with the court upon its completion and send notice of its filing to all parties not in default stating:

- (1) the appraised fair market value of the property;
- (2) that the appraisal is available at the clerk's office; and

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(3) that a party may file with the court an objection to the appraisal no later than thirty days after the notice is sent, stating the grounds for the objection.

(E) The court, in its discretion, shall determine allocation of payment from the parties to cover the costs of the appraisal.

(F) If an appraisal is filed pursuant to subsection (D), within one week from the date the notice was sent, the party that filed the partition action shall send notice to all other cotenants with a known address, stating:

(1) the appraised fair market value of the property;

(2) that the appraisal is available at the clerk's office; and

(3) that a party may file with the court an objection to the appraisal no later than thirty days after the notice is sent stating the grounds for the objection.

(G) If an appraisal is filed with the court pursuant to subsection (D), the court shall conduct a hearing to determine the fair market value of the property not sooner than sixty days after a copy of the notice of the appraisal is sent to each party under subsections (D) and (F), whether or not an objection to the appraisal is filed. In addition to the court-ordered appraisal, the court may consider any other evidence of value offered by a party.

(H) After a hearing under subsection (G), but before considering the merits of the partition action, the court, by order, shall determine the fair market value of the property. The Clerk of Court shall send notice of the order to all parties not in default and, within one week from the date notice was sent, the party filing the partition action shall send copies of the fair market value order to all other cotenants with a known address.

Section 15-61-370. (A) If any cotenant requests partition by sale, after the determination of value pursuant to Section 15-61-360, the party filing the partition action, after receipt of the value information from the clerk's office, shall send notice to the parties that any cotenant, except a cotenant that requested partition by sale, may buy all of the interests of the cotenants that requested partition by sale.

(B) A cotenant, except a cotenant that requested partition by sale, who is interested in purchasing the interests of the cotenants that requested partition by sale, shall notify the court of that interest no later than ten days prior to the date set for the partition trial. A cotenant that did not request partition by sale must be allowed to purchase the interests of any cotenant who requested a partition by sale, as provided in this article, whether default has been entered against the cotenant or not.

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(C) The purchase price for each of the interests of a cotenant that requested partition by sale is the value of the entire parcel determined pursuant to Section 15-61-360 multiplied by the cotenant's fractional ownership of the entire parcel.

(D) After the expiration of the period in subsection (B), the following requirements apply:

(1) If only one cotenant elects to buy all the interests of the cotenants that requested partition by sale, the court shall order the Clerk of Court to notify the party filing partition of that fact. After receiving notice from the Clerk of Court, the party filing the partition action shall notify all the parties of that same fact.

(2) If more than one cotenant elects to buy all the interests of the cotenants that requested partition by sale, the court, by order, shall allocate the right to buy those interests among the electing cotenants based on each electing cotenant's existing fractional ownership of the entire parcel divided by the total existing fractional ownership of all cotenants electing to buy. The Clerk of Court shall send notice of the order to all parties not in default and, within one week from the date notice was sent, the party filing the partition action shall send a copy of the order showing the price to be paid by each electing cotenant to all other cotenants with a known address.

(3) If no cotenant elects to buy all the interests of the cotenants that requested partition by sale, the court shall notify the party filing the partition action to send notice to all the parties of that fact and the court shall resolve the partition action, by order, pursuant to Section 15-61-380(A) and (B).

(E) If notices are sent to the parties under subsection (D)(1) or (2), the court shall set a date, not sooner than sixty days after the date the notice was sent, by which electing cotenants must pay their apportioned price into the court. After this date, the following requirements apply:

(1) If all electing cotenants timely pay their apportioned price into court, the court shall issue an order reallocating all the interests of the cotenants and disburse the amounts held by the court to the persons entitled to them.

(2) If no electing cotenant timely pays its apportioned price, the court shall resolve the partition action pursuant to Section 15-61-380 (A) and (B), as if the interests of the cotenants that requested partition by sale were not purchased.

(3) If one or more but not all of the electing cotenants fail to pay their apportioned price on time, the court, on motion, shall order the party so moving to give notice to the electing cotenants that paid their

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apportioned price of the interest remaining and the price for all the interests.

(F) Not later than twenty days after notice is sent pursuant to subsection (E)(3), any cotenant who paid may elect to purchase all of the remaining interest by paying the entire price into the court. After an additional twenty-day period, the following regulations apply:

(1) If only one cotenant pays the entire price for the remaining interests, the court shall issue an order reallocating the remaining interests to that cotenant and disburse the amounts held by it to the persons entitled to them.

(2) If no cotenant pays the entire price for the remaining interests, the court shall resolve the partition action pursuant to Section 15-61-380(A) and (B), as if the interests of the cotenants that requested partition by sale were not purchased.

(3) If more than one cotenant pays the entire price for the remaining interests, the court shall reapportion the remaining interests among those paying cotenants, based on each paying cotenant's original fractional ownership of the entire parcel divided by the total original fractional ownership of all cotenants that paid the entire price for the remaining interests. The court shall issue promptly an order reallocating all of the cotenants' interests, disburse the amounts held by it to the persons entitled to them, and promptly refund any excess payment held by the court.

(G) Not later than forty days after the party filing the partition action sends notice to the parties pursuant to subsection (A), any cotenant entitled to buy an interest under this section may request the court to authorize the sale as part of the pending action of the interests of cotenants named as defendants and served with the complaint, but that did not appear in the action.

(H) If the court receives a timely request under subsection (G), the court, after a hearing, may deny the request or authorize the requested additional sale on such terms as the court determines are fair and reasonable, subject to the following limitations:

(1) A sale authorized under this subsection may occur only after the purchase prices for all interests subject to sale under subsections (A) through (F) have been paid into court and those interests have been reallocated among the cotenants as provided in those subsections.

(2) The purchase price for the interest of a nonappearing cotenant is based on the court's determination of value pursuant to Section 15-61-360.

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Section 15-61-380. (A) If all the interests of the cotenants that requested partition by sale are not purchased by other cotenants pursuant to Section 15-61-370 or if, after conclusion of the buyout pursuant to Section 15-61-370 a cotenant remains that has requested a partition in kind or a partition by allotment, the court shall order a partition in kind or a partition by allotment, unless the court, after consideration of the factors listed in Section 15-61-390, finds that partition in kind or partition by allotment may result in manifest prejudice to the cotenants as a group. In considering whether to order partition in kind or partition by allotment, the court shall approve a request by two or more parties to have their individual interests aggregated.

(B) If the court does not order partition in kind or partition by allotment under subsection (A), the court shall order partition by sale pursuant to Section 15-61-400 or, if no cotenant requested partition by sale, the court shall dismiss the action.

(C) If the court orders partition in kind or partition by allotment pursuant to subsection (A), the court may require that one or more cotenants pay one or more of the other cotenants amounts so that the payments, taken together with the value of the in-kind distributions to the cotenants, will make the partition in kind or the partition by allotment just and proportionate in value to the fractional interests held.

Section 15-61-390. (A) In determining pursuant to Section 15-61-380(A) whether partition in kind or partition by allotment would result in manifest prejudice to the cotenants as a group, the court shall consider the following:

(1) whether the heirs' property practicably can be divided among the cotenants;

(2) whether partition in kind or partition by allotment would apportion the property in such a way that the aggregate fair market value of the parcels resulting from the division would be materially less than the value of the property if it were sold as a whole, taking into account the condition under which a court-ordered sale likely would occur;

(3) evidence of the collective duration of ownership or possession of the property by a cotenant and one or more predecessors in title or predecessors in possession to the cotenant who are or were relatives of the cotenant or each other;

(4) a cotenant's sentimental attachment to the property, including any attachment arising because the property has ancestral or other unique or special value to the cotenant;

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(5) the lawful use being made of the property by a cotenant and the degree to which the cotenant would be harmed if the cotenant could not continue the same use of the property;

(6) the degree to which the cotenants have contributed their pro rata share of the property taxes, insurance, and other expenses associated with maintaining ownership of the property or have contributed to the physical improvement, maintenance, or upkeep of the property; and

(7) any other relevant factor.

(B) The court may not consider any one factor in subsection (A) to be dispositive without weighing the totality of all relevant factors and circumstances.

Section 15-61-400. (A) If the court orders a sale of heirs' property, the sale must be an open-market sale unless the court finds that a sale by sealed bids or an auction would be more economically advantageous and in the best interest of the cotenants as a group.

(B) If the court orders an open-market sale and the parties, not later than thirty days after the entry of the order, agree on a real estate broker licensed in this State to offer the property for sale, the court, upon consultation with the parties, shall appoint the broker and establish a reasonable commission. If the parties do not agree on a broker, the court shall appoint a disinterested real estate broker licensed in this State to offer the property for sale and shall establish a reasonable commission. The broker shall offer the property for sale in a commercially reasonable manner at a price no lower than the determination of value and on the terms and conditions established by the court.

(C) If a broker appointed under subsection (B) obtains within a reasonable time an offer to purchase the property for at least the determination of value:

(1) the broker shall comply with the reporting requirements in Section 15-61-410;

(2) the sale may be completed in accordance with state law other than this article; and

(3) the commission of the real estate broker must be paid from the proceeds of the sale.

(D) If the broker appointed under subsection (B) does not obtain within a reasonable time an offer to purchase the property for at least the determination of value, the court, after a hearing, may:

(1) approve the highest outstanding offer, if any;

(2) redetermine the value of the property and order that the property continue to be offered for an additional time; or

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(3) order that the property be sold by sealed bids or at an auction.

(E) If the court orders a sale by sealed bids or an auction, the court shall set terms and conditions of the sale. If the court orders an auction, the auction must be conducted pursuant to procedures governing judicial sales and auctions.

(F) If a purchaser is entitled to a share of the proceeds of the sale, the purchaser is entitled to a credit against the price in an amount equal to the purchaser's share of the proceeds.

Section 15-61-410. (A) Unless required otherwise to do so within a shorter time, a broker appointed under Section 15-61-400 to offer heirs' property for open-market sale shall file a report with the court not later than ten days after receiving an offer to purchase the property for at least the value determined pursuant to Section 15-61-360 or 15-61-400.

(B) The report required by subsection (A) must contain the following information:

- (1) a description of the property to be sold to each buyer;
- (2) the name of each buyer;
- (3) the proposed purchase price;
- (4) the terms and conditions of the proposed sale, including the terms of any owner financing;
- (5) the amounts to be paid to lienholders;
- (6) a statement of contractual or other arrangements or conditions of the broker's commission; and
- (7) other material facts relevant to the sale.

Section 15-61-420. This article modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Section 7003(b), except to the extent that South Carolina law, rules, and regulations so authorize." /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bannister	Bedingfield
Bernstein	Bingham	Bowers
Bradley	Brannon	G. A. Brown
R. L. Brown	Burns	Clary
Clemmons	Clyburn	Cobb-Hunter
Cole	Collins	Corley
Crosby	Daning	Dillard
Douglas	Duckworth	Felder
Finlay	Forrester	Gagnon
Gambrell	George	Gilliard
Goldfinch	Hamilton	Hardee
Hardwick	Hart	Hayes
Henegan	Herbkersman	Hiott
Hixon	Horne	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	Kennedy
King	Knight	Limehouse
Loftis	Lowe	Lucas
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Murphy	Nanney	Neal
Newton	Norman	Norrell
Ott	Pitts	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson
Rutherford	Ryhal	Sandifer
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stringer
Tallon	Taylor	Thayer
Tinkler	Toole	Weeks
Wells	White	Williams
Willis	Yow	

**Total--104**

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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. 3521--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3521 -- Reps. Limehouse, Putnam, Clemmons, Gagnon, Hill, Rivers, Thayer and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-250 SO AS TO PREVENT A COURT OR OTHER ENFORCEMENT AUTHORITY FROM ENFORCING FOREIGN LAW INCLUDING, BUT NOT LIMITED TO, SHARIA LAW IN THIS STATE FROM A FORUM OUTSIDE OF THE UNITED STATES OR ITS TERRITORIES UNDER CERTAIN CIRCUMSTANCES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3521 (COUNCILMS\3521C001.MS.AHB15):

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

/ SECTION 1. The General Assembly finds that it shall be the public policy of this State to protect its citizens from the application of foreign laws when the application of a foreign law will result in the violation of a right guaranteed by the Constitution of this State or of the United States including, but not limited to, due process, freedom of religion, speech, or press, and any right of privacy or marriage as specifically defined by the Constitution of this State. The General Assembly fully recognizes the right to contract freely under the laws of this State and also recognizes that this right may be reasonably and rationally circumscribed pursuant to the state's interest to protect and promote rights and privileges granted under the United States or South Carolina Constitution including, but not limited to, due process, freedom of religion, speech, or press, and any right of privacy or marriage as specifically defined by the Constitution of this State.

SECTION 2. Chapter 1, Title 14 of the 1976 Code is amended by adding:

“Section 14-1-250. (A) As used in this section, ‘foreign law, legal code, or system’ means any law, legal code, or system of a jurisdiction

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outside of any state or territory of the United States including, but not limited to, international organizations and tribunals and applied by that jurisdiction's courts, administrative bodies, or other formal or informal tribunals. For the purposes of this section, foreign law shall not mean, nor shall it include, any laws of the Native American tribes in this State.

(B) Any court, arbitration, tribunal, or administrative agency ruling or decision shall violate the public policy of this State and be void and unenforceable if the court, arbitration, tribunal, or administrative agency bases its rulings or decisions in the matter at issue in whole or in part on any law, legal code, or system that would not grant the parties affected by the ruling or decision the same fundamental liberties, rights, and privileges granted under the United States and South Carolina Constitutions including, but not limited to, due process, freedom of religion, speech, or press, and any right of privacy or marriage as specifically defined by the Constitution of this State.

(C) A contract or contractual provision, if severable, which provides for the choice of a law, legal code, or system to govern some or all of the disputes between the parties adjudicated by a court of law or by an arbitration panel arising from the contract mutually agreed upon shall violate the public policy of this State and be void and unenforceable if the law, legal code, or system chosen includes or incorporates any substantive or procedural law, as applied to the dispute at issue, that would not grant the parties the same fundamental liberties, rights, and privileges granted under the United States and South Carolina Constitutions including, but not limited to, due process, freedom of religion, speech, or press, and any right of privacy or marriage as specifically defined by the Constitution of this State.

(D)(1) A contract or contractual provision, if severable, which provides for a jurisdiction for purposes of granting the courts or arbitration panels *in personam* jurisdiction over the parties to adjudicate any disputes between parties arising from the contract mutually agreed upon shall violate the public policy of this State and be void and unenforceable if the jurisdiction chosen includes any law, legal code, or system, as applied to the dispute at issue, that would not grant the parties the same fundamental liberties, rights, and privileges granted under the United States and South Carolina Constitutions including, but not limited to, due process, freedom of religion, speech, or press, and any right of privacy or marriage as specifically defined by the Constitution of this State.

(2) If a resident of this State, subject to personal jurisdiction in this State, seeks to maintain litigation, arbitration, agency, or similarly

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binding proceedings in this State and if the courts of this State find that granting a claim of forum non conveniens or a related claim violates or would likely violate the fundamental liberties, rights, and privileges granted under the United States and South Carolina Constitutions of the nonclaimant in the foreign forum with respect to the matter in dispute, then it is the public policy of this State that the claim shall be denied.

(E) Without prejudice to any legal right, this section shall not apply to a corporation, partnership, limited liability company, business association, or other legal entity that contracts to subject itself to foreign law in a jurisdiction other than this State or the United States.

(F) This section shall not apply to a church, religious corporation, association, or society, with respect to the individuals of a particular religion regarding matters that are purely ecclesiastical including, but not limited to, matters of calling a pastor, excluding members from a church, electing church officers, matters concerning church bylaws, constitution, and doctrinal regulations and the conduct of other routine church business, when:

(1) the jurisdiction of the church would be final; and

(2) the jurisdiction of the courts of this State would be contrary to the First Amendment of the United States and the Constitution of this State.

This exemption in no way grants permission for any otherwise unlawful act under the guise of First Amendment protection.

(G) This section shall not be interpreted by any court to conflict with any federal treaty or other international agreement to which the United States is a party to the extent that such treaty or international agreement preempts or is superior to state law on the matter at issue.”

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. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be

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

SECTION 5. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Rep. LIMEHOUSE explained the amendment.

Reps. MCEACHERN, J. E. SMITH, COBB-HUNTER, LIMEHOUSE, KING, DOUGLAS, MCKNIGHT, R. L. BROWN, M. S. MCLEOD, CLYBURN, HOSEY, COLE, CLARY, HENEGAN, FORRESTER, TAYLOR, MCCOY, HIXON, V. S. MOSS, PUTNAM and ALEXANDER requested debate on the Bill.

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

#### **RECURRENCE TO THE MORNING HOUR**

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

#### **SPEAKER IN CHAIR**

#### **S. 11--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

Columbia, S.C., May 12, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 11:

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

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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.

and asks for a Committee of Conference and has appointed Senators Gregory, Campsen and Johnson to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. NEWTON, TAYLOR and NORRELL to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**HOUSE RESOLUTION**

The following was introduced:

H. 4162 -- Reps. Bamberg, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, 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 HOUSE RESOLUTION TO CONGRATULATE LAURINE VARNADOE OF BAMBERG SCHOOL DISTRICT ONE UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR FORTY YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HER

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MUCH HAPPINESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4163 -- Reps. Ott, 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, 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 REVEREND TERRY C. WILDER AT THE CELEBRATION OF HIS TWENTY-FIVE YEARS OF CONTINUOUS AND FAITHFUL SERVICE TO SWANSEA FIRST BAPTIST CHURCH.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4161 -- Reps. Jefferson, Williams, Cobb-Hunter, Ott, King, Southard, Daning, Crosby, George, Hart and M. S. McLeod: A CONCURRENT RESOLUTION TO RAISE THE AWARENESS OF THE BRADLEY BLAKE FOUNDATION SURROUNDING THE

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**ISSUE OF GUN VIOLENCE AND TO DECLARE THE MONTH OF JUNE 2015 GUN VIOLENCE AWARENESS MONTH.**

Whereas, according to data from the Centers for Disease Control and Prevention, approximately 81,300 nonfatal injuries and 31,672 deaths involving guns occur every year. This works out to about three hundred eight shootings and eighty-six deaths every day; and

Whereas, guns are the most common weapon used in domestic violence against women, and access to firearms increases the risk of homicide by more than five times; and

Whereas, it is imperative that there be greater public awareness of this serious issue, and more must be done to increase activity at the local, state, and national levels; and

Whereas, various options are open to this State in dealing with gun violence, one of the most effective being the utilization of a public-health approach. Public-health programs have dramatically reduced lung cancer by preventing smoking. Automobile accidents are curtailed by traffic regulations, safer cars, and driver training. Real violence prevention cannot wait until there is a gunman at the door but must start before problems escalate into violence. For example, there are numerous controlled studies demonstrating that school-based counseling and violence-prevention programs are effective at teaching students how to resolve conflicts and problems without resorting to violence. Prevention must begin early to be most effective; and

Whereas, this resolution, the first of its kind in South Carolina, will inspire a necessary discussion in our community on how we can harness our resources to reduce gun violence and improve our state's programs in prevention, intervention, education, and outreach. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the South Carolina General Assembly, by this resolution, raise the awareness of the Bradley Blake Foundation

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surrounding the issue of gun violence and declare the month of June 2015 Gun Violence Awareness Month.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4164 -- Reps. Clemmons, Bannister and Mack: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 27, 2015, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, CHIEF JUSTICE, UPON HER RETIREMENT ON OR BEFORE DECEMBER 31, 2015, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2019; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2019; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2019; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2019; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2019; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE, SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2019; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE, SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30,

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2019; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY, SIXTH CONGRESSIONAL DISTRICT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2021; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE OLD EXCHANGE BUILDING COMMISSION, WHOSE TERM WILL EXPIRE JUNE 30, 2021; AND FOR THE PURPOSE OF ELECTING THREE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WILLOU GRAY OPPORTUNITY SCHOOL, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2019; AND FOR THE PURPOSE OF ELECTING THREE MEMBERS TO FILL VACANCIES OR EXPIRED TERMS ON THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2-15-10 FROM AMONG THE CANDIDATES NOMINATED BY THE LEGISLATIVE AUDIT COUNCIL NOMINATING COMMITTEE PURSUANT TO SECTION 2-15-20.

Be it resolved by the House of Representatives, the Senate concurring:

That the House of Representatives and the Senate and shall meet in joint assembly in the Hall of the House of Representatives Wednesday, May 27, 2015, at noon to elect a successor to the Honorable Jean Hoefler Toal, Chief Justice of the Supreme Court, upon her retirement on or before December 31, 2015, and the successor will fill the unexpired term of that office which will expire on July 31, 2024; to elect a successor to the Honorable Roger E. Henderson, Judge of the Family Court, Fourth Judicial Circuit, Seat 1, whose term will expire June 30, 2016, and the successor will fill the unexpired term of that office; and for the purpose of electing a member to the Board of Trustees of Coastal Carolina University to fill the term of the member for the First Congressional District, Seat 1, whose term will expire June, 30, 2019; to fill the term of the member for the Third Congressional District, Seat 3, whose term will expire June 30, 2019; to fill the term of the member for the Fifth Congressional District, Seat 5, whose term will expire June 30, 2019; to fill the term of the member for the Seventh Congressional District, Seat 7, whose term will expire June 30, 2019; to fill the term of the member for the At-Large, Seat 9, whose term will expire June 30, 2019; to fill the term of the member for the At-Large, Seat 11, whose term will expire

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June 30, 2019; to fill the term of the member for the At-Large, Seat 13, whose term will expire June 30, 2019; and for the purpose of electing a member to the Board of Trustees of Lander University to fill the term of the member for the Sixth Congressional District, Seat 6, whose term will expire June 30, 2016; and for the purpose of electing a member to the board of trustees for Winthrop University to fill the term of the member to the Board of Trustees for the At-Large, Seat 10, whose term will expire June 30, 2021; and for the purpose of electing a member to the Board of Trustees for the Old Exchange Building Commission, whose term will expire June 30, 2021; and for the purpose of electing three members to the Board of Trustees for the Wil Lou Gray Opportunity School to fill the terms for three At-Large seats, whose terms will expire June 30, 2019.

Be it further resolved that all nominations must be made by the chairman of the Judicial Merit Selection Commission, or the Joint Legislative Committee to Screen Candidates for College and University Boards of Trustees and that no further nominating or seconding speeches may be made by members of the General Assembly on behalf of any candidate.

Be it further resolved that immediately following the judicial and board elections held pursuant to this Concurrent Resolution, the House of Representatives and the Senate shall elect three members to fill vacancies or expired terms on the Legislative Audit Council pursuant to Section 2-15-10 from among the candidates nominated by the Legislative Audit Council Nominating Committee pursuant to Section 2-15-20.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 760 -- Senators L. Martin, Malloy, Campsen, Peeler, Alexander, Hayes and Scott: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 27, 2015, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, CHIEF JUSTICE, UPON HER RETIREMENT ON OR BEFORE DECEMBER 31, 2015 AND THE SUCCESSOR WILL FILL THE

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UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE, 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE, SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE, SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2019, AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY, SIXTH CONGRESSIONAL DISTRICT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2021, AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE OLD EXCHANGE BUILDING COMMISSION, WHOSE TERM WILL EXPIRE JUNE 30, 2021, AND FOR THE PURPOSE OF ELECTING THREE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2019, AND FOR THE PURPOSE OF ELECTING THREE MEMBERS TO FILL VACANCIES OR EXPIRED TERMS

[HJ]

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ON THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2-15-10 FROM AMONG THE CANDIDATES NOMINATED BY THE LEGISLATIVE AUDIT COUNCIL NOMINATING COMMITTEE PURSUANT TO SECTION 2-15-209

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. 4165 -- Rep. King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "HOMEOWNERS' ASSOCIATION REGIME FEE FAIRNESS TO DEPLOYED SERVICE MEMBERS ACT" BY ADDING SECTION 27-1-75 SO AS TO PROVIDE A HOMEOWNERS' ASSOCIATION MAY NOT ENFORCE A LIEN FOR HOMEOWNERS' ASSOCIATION REGIME FEES THAT ACCRUE AND ARE NOT PAID DURING THE TIME PERIOD THAT THE HOMEOWNER IS DEPLOYED OR MOBILIZED OUTSIDE OF THIS STATE UNTIL THE HOMEOWNER RETURNS FROM DEPLOYMENT, TO PROVIDE A HOMEOWNERS' ASSOCIATION MAY NOT ASSESS OR IMPOSE PENALTIES FOR HOMEOWNERS' ASSOCIATION REGIME FEES NOT PAID DURING THE TIME PERIOD THAT THE HOMEOWNER IS DEPLOYED OR MOBILIZED OUTSIDE OF THIS STATE; TO MAKE THE PROVISIONS OF THIS ACT ALSO APPLICABLE TO DEPENDENTS RESIDING WITH THE SERVICE MEMBER; TO DEFINE NECESSARY TERMINOLOGY; AND TO MAKE THESE PROVISIONS RETROACTIVE TO JANUARY 1, 2015.

Rep. KING asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. NORMAN objected.

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

H. 4166 -- 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

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MEMBERS OF LAURENS COUNTY SCHOOL DISTRICT 56 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.

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

S. 170 -- Senator Kimpson: A BILL TO AMEND CHAPTER 36, TITLE 12 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SALES AND USE TAX ACT, BY ADDING SECTION 12-36-71, TO PROVIDE THAT A RETAILER IS PRESUMED TO BE LIABLE FOR THE SALES TAX OR RESPONSIBLE FOR COLLECTING AND REMITTING THE USE TAX IF THE RETAILER ENTERS INTO AN AGREEMENT WITH A RESIDENT OF THIS STATE UNDER WHICH THE RESIDENT, FOR CONSIDERATION, REFERS POTENTIAL CUSTOMERS, WHETHER BY AN INTERNET LINK OR OTHERWISE, TO REQUIRE SUCH RETAILERS TO OBTAIN A RETAIL LICENSE AND REMIT SALES AND USE TAX ON ALL TAXABLE RETAIL SALES, AND TO PROVIDE EXCEPTIONS.

Referred to Committee on Ways and Means

S. 338 -- Senators S. Martin and Bryant: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS REGARDING PRISONERS, BY ADDING SECTION 24-13-180 TO PROVIDE THAT ANY PUBLIC, PRIVATE, OR NONPROFIT ENTITY WHICH IS ENGAGED IN HELPING TO REHABILITATE AND REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF ITS PROGRAM PROVIDES RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITY OF THE ADDRESSES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT A PUBLIC HEARING REGARDING THE PROGRAM AND THE LOCATION OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITY WHERE THEY WILL BE LOCATED.

Referred to Committee on Judiciary

[HJ]

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**H. 3878--DEBATE ADJOURNED**

The following Bill was taken up:

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.

Rep. WHITE moved to adjourn debate on the Bill until Wednesday, May 13, which was agreed to.

**S. 500--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 500 -- Senator Hayes: 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 explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales

[HJ]

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Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Chumley	Clary	Clyburn
Cobb-Hunter	Cole	Collins
Corley	Crosby	Daning
Douglas	Duckworth	Felder
Finlay	Forrester	Funderburk
Gagnon	George	Gilliard
Goldfinch	Hamilton	Hardee
Hardwick	Hart	Hayes
Henegan	Herbkersman	Hill
Hiott	Hixon	Horne
Hosey	Howard	Huggins
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	Pope	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	G. R. Smith	Sottile
Southard	Spires	Stringer
Tallon	Taylor	Thayer
Tinkler	Toole	Weeks
Wells	Whipper	White
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.

[HJ]

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**S. 179--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 179 -- Senators L. Martin and Hembree: A BILL TO AMEND SECTION 61-6-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF ALCOHOLIC LIQUORS, SO AS TO INCLUDE POWDERED OR CRYSTALLINE ALCOHOLS WHEN HYDROLYZED IN THE DEFINITION OF ALCOHOLIC LIQUORS AND TO AMEND SECTION 61-6-4157, RELATING TO THE PROHIBITION TO POSSESS, USE, SELL, OR PURCHASE POWDERED ALCOHOL, SO AS TO INCLUDE BOTH POWDERED AND CRYSTALLINE ALCOHOL WHEN HYDROLYZED.

Reps. HILL, MCCOY, BEDINGFIELD, WELLS, HIOTT, TOOLE, G. R. SMITH, KENNEDY, LOFTIS, NORMAN, CROSBY, JOHNSON, YOW, FINLAY, GAGNON, THAYER, WILLIS, LIMEHOUSE, WHITE and COBB-HUNTER requested debate on the Bill.

**H. 4146--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4146 -- Rep. Hardwick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-23-15 SO AS TO INCREASE THE BOUNDARIES OF THE MURRELL'S INLET-GARDEN CITY FIRE DISTRICT.

Rep. HARDWICK explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Atwater	Bales	Bamberg
Bannister	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Chumley	Clyburn	Cole
Corley	Crosby	Delleney
Dillard	Douglas	Duckworth

[HJ]

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Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Hamilton	Hardee
Hardwick	Hart	Henegan
Herbkersman	Hill	Hixon
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
Norrell	Ott	Pope
Quinn	Ridgeway	Riley
Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	J. E. Smith
Sottile	Southard	Spires
Stringer	Tallon	Taylor
Tinkler	Toole	Weeks
Wells	Whipper	White
Williams	Willis	Yow

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**H. 4103--ADOPTED**

The following House Resolution was taken up:

H. 4103 -- Reps. Funderburk, Norrell, Long, Erickson, Crosby, Anthony, Bales, Herbkersman, W. J. McLeod, Newton, Norman, Simrill, Tinkler, Yow and McKnight: A HOUSE RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION

[HJ]

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NOT QUALIFY A CONTRACTOR OR CONTRACTING FIRM TO PARTICIPATE IN DEPARTMENT OF TRANSPORTATION CONTRACTS AS A PRIME CONTRACTOR OR A SUBCONTRACTOR IF THE FIRM IS OWNED BY A TRUST THAT BENEFITS A PERSON OR FIRM WHO HAS BEEN DISQUALIFIED FOR BIDDING ON DEPARTMENT CONTRACTS OR A DISQUALIFIED PERSON'S FAMILY, OR IF THE DISQUALIFIED PERSON OR FIRM PROVIDES FINANCIAL SUPPORT OR LOANS TO THE CONTRACTOR OR CONTRACTING FIRM.

The Resolution was adopted.

**S. 726--DEBATE ADJOURNED**

The following Concurrent Resolution was taken up:

S. 726 -- Senators Cromer, Setzler, Shealy, Massey and Courson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 1, CHARTER OAK ROAD, AND PISGAH CHURCH ROAD IN LEXINGTON COUNTY "SERGEANT JOHN DAVID MEADOR II INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

Rep. ATWATER moved to adjourn debate on the Resolution until Wednesday, May 13, which was agreed to.

**MOTION PERIOD**

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

**S. 47--RECONSIDERED**

Rep. DANING moved to reconsider the vote whereby debate was adjourned on the following Bill until Tuesday, May 19, which was agreed to:

S. 47 -- Senators Malloy, Kimpson, Johnson, Pinckney, Thurmond, Setzler, Grooms, Lourie, McElveen, Allen, Shealy, Coleman, Campsen, Scott and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-240, SO AS TO PROVIDE THAT ALL STATE AND LOCAL LAW

[HJ]

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ENFORCEMENT OFFICERS MUST BE EQUIPPED WITH BODY-WORN CAMERAS.

**S. 47--DEBATE ADJOURNED**

The following Bill was taken up:

S. 47 -- Senators Malloy, Kimpson, Johnson, Pinckney, Thurmond, Setzler, Grooms, Lourie, McElveen, Allen, Shealy, Coleman, Campsen, Scott and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-240, SO AS TO PROVIDE THAT ALL STATE AND LOCAL LAW ENFORCEMENT OFFICERS MUST BE EQUIPPED WITH BODY-WORN CAMERAS.

Rep. DANING moved to adjourn debate on the Bill until Wednesday, May 13, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 4167 -- Reps. Johnson, Hardee, Duckworth and George: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR HORRY COUNTY FARMERS RICHARD AND MEGAN FLOYD FOR THEIR OUTSTANDING WORK AS SOUTH CAROLINA FARMERS AND TO CONGRATULATE THEM FOR RECEIVING THE 2014 SOUTH CAROLINA FARM BUREAU YOUNG FARMER AND RANCHER ACHIEVEMENT AWARD.

The Resolution was adopted.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 4168 -- Reps. Whipper, Cobb-Hunter, Gilliard, Anderson, Alexander, Henegan, Mack and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT

[HJ]

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"LIZZY'S LAW" BY ADDING SECTION 16-23-540 SO AS TO REQUIRE AN OWNER OR OTHER PERSON LAWFULLY IN POSSESSION OF A FIREARM, RIFLE, OR SHOTGUN TO REPORT THE LOSS OR THEFT OF EACH SUCH WEAPON, TO REQUIRE THE APPROPRIATE LAW ENFORCEMENT AGENCY TO COLLECT CERTAIN INFORMATION REGARDING A LOST OR STOLEN WEAPON, AND TO PROVIDE GRADUATED PENALTIES FOR THE FAILURE TO REPORT A LOST OR STOLEN WEAPON.

Referred to Committee on Judiciary

Rep. QUINN moved that the House do now adjourn, which was agreed to.

**ADJOURNMENT**

At 1:36 p.m. the House in accordance with the motion of Rep. QUINN adjourned to meet at 10:00 a.m. tomorrow.

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