

NO. 9

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

THURSDAY, JANUARY 25, 2018
(STATEWIDE SESSION)

Thursday, January 25, 2018
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Samuel 22:32: "For who is God, but the Lord? And who is the rock except our God?"

Let us pray. O Lord, our rock and our strength, come to the aid of these Representatives and staff as they plan, consider, and work to discern what will be done for the people of this State. Fill them with the spirit to carry out the agenda. Bless our Nation, President, State, Governor, Speaker, staff, and those who aid and support them. Protect our defenders of freedom and first responders 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 yesterday, the SPEAKER ordered it confirmed.

ACTING SPEAKER COLLINS IN CHAIR

MOTION ADOPTED

Rep. RIDGEWAY moved that when the House adjourns, it adjourn in memory of Hayes F. Samuels, Jr., which was agreed to.

SILENT PRAYER

The House stood in silent prayer for Connie Rouse and her family in the loss of her father.

SPEAKER IN CHAIR

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REPORT OF STANDING COMMITTEE

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 4458 -- Reps. Johnson, Hixon, Kirby, Yow, Duckworth, Burns, Blackwell, Dillard, Davis, Forrest, Fry, Hewitt, Crawford, McGinnis, Ott, Bamberg, Erickson, Cobb-Hunter, Willis, Mace, Hill, Gagnon, West, Hardee and Wheeler: A BILL TO AMEND SECTION 16-11-700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUMPING OF LITTER ON PRIVATE OR PUBLIC PROPERTY AND ITS PENALTIES, SO AS TO RESTRUCTURE THE OFFENSES TO ENSURE CIGARETTE BUTTS AND CIGARETTE COMPONENT LITTER AND DECEASED ANIMALS ARE INCLUDED IN THE PURVIEW OF THE STATUTE, AND TO RESTRUCTURE THE PENALTIES.

Ordered for consideration tomorrow.

CONCURRENT RESOLUTION

The following was introduced:

H. 4716 -- Rep. Bales: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE DENISE H. ROHAN, TO SOUTH CAROLINA AND INVITE HER TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, MARCH 6, 2018.

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

INTRODUCTION OF BILLS

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

H. 4714 -- Rep. Norrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 16 SO AS TO ENACT THE "TEEN DATING VIOLENCE PREVENTION ACT", TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF TEEN DATING VIOLENCE,

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PROVIDE A PENALTY, ALLOW VICTIMS TO SEEK ORDERS OF PROTECTION OR RESTRAINING ORDERS UNDER CERTAIN CIRCUMSTANCES, AND PROHIBIT A PERSON WHO VIOLATES THE PROVISIONS OF THE SECTION FROM PARTICIPATING IN A PRETRIAL INTERVENTION PROGRAM; TO AMEND SECTION 59-32-10, RELATING TO DEFINITIONS FOR PURPOSES OF THE COMPREHENSIVE HEALTH EDUCATION ACT, SO AS TO DEFINE THE TERM "TEEN DATING VIOLENCE"; AND TO AMEND SECTIONS 59-32-20, AS AMENDED, 59-32-30, AS AMENDED, AND 59-32-50, ALL RELATING TO THE REQUIREMENTS OF THE COMPREHENSIVE HEALTH EDUCATION ACT, ALL SO AS TO REQUIRE THE INCLUSION OF TEEN DATING VIOLENCE EDUCATION IN THE COMPREHENSIVE HEALTH EDUCATION CURRICULUM AND MAKE CONFORMING CHANGES.

Referred to Committee on Judiciary

H. 4715 -- Reps. Kirby, Ott, Hiott, Hixon, Chumley, Burns, Johnson, Duckworth, Wheeler, Dillard, Forrest and Atkinson: A BILL TO AMEND SECTION 50-23-11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT DEALER DEMONSTRATION NUMBERS, SO AS TO PROVIDE FOR A THIRTY DOLLAR APPLICATION FEE, TO PROVIDE FOR THE EXPIRATION OF DEMONSTRATION NUMBERS, AND TO PROVIDE FOR THE USE OF FEE REVENUE; TO AMEND SECTION 50-23-70, AS AMENDED, RELATING TO MOTORCRAFT CERTIFICATE OF NUMBER FEES AND DECALS, SO AS TO PROHIBIT THE DEPARTMENT OF NATURAL RESOURCES FROM ISSUING DUPLICATE DECALS WHEN AD VALOREM TAXES ARE OUTSTANDING; TO AMEND SECTION 50-23-340, RELATING TO THE APPLICATION FEE FOR WATERCRAFT CERTIFICATE OF NUMBERS, SO AS TO REDUCE THE FEE TO TEN DOLLARS; TO AMEND SECTION 50-23-345, AS AMENDED, RELATING TO TEMPORARY WATERCRAFT CERTIFICATE OF NUMBERS, SO AS TO PROVIDE A CERTIFICATE OF NUMBER MAY NOT BE ISSUED UNTIL AD VALOREM TAXES ARE PAID FOR THE YEAR IN WHICH THE CERTIFICATE IS ISSUED; TO AMEND SECTION 50-23-370, AS AMENDED, RELATING TO THE EXPIRATION AND RENEWAL OF WATERCRAFT CERTIFICATES OF NUMBER, SO AS TO PROVIDE FOR THE ISSUANCE OF RENEWAL NOTICES AND

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PROCESSING OF RENEWALS BY COUNTY AUDITORS, AND TO MAKE RENEWALS ANNUAL INSTEAD OF EVERY THREE YEARS, AND TO PROVIDE FOR THE IMPLEMENTATION OF THESE PROVISIONS OVER A THREE-YEAR PERIOD; BY ADDING SECTION 50-23-12 SO AS TO REQUIRE THE COMPLETION OF CERTAIN CHANGE IN STATUS FORMS FOR WATERCRAFT AND OUTBOARD MOTOR TRADE-INS; BY ADDING SECTION 50-23-35 SO AS TO PROVIDE FOR THE ISSUANCE OF WATERCRAFT TITLES UPON PROVIDING EVIDENCE OF AD VALOREM TAX PAYMENT, AND TO PROVIDE EXCEPTIONS; AND BY ADDING ARTICLE 26 TO CHAPTER 37, TITLE 12 SO AS TO PROVIDE PROCEDURES CONCERNING ASSESSMENTS AND PAYMENTS FOR PROPERTY TAXATION OF BOATS AND WATERCRAFT AND THE ISSUANCE OF CERTIFICATES OF NUMBER FOR BOATS AND WATERCRAFT.

Referred to Committee on Ways and Means

H. 4717 -- Rep. Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA NURSING MOTHERS ACT" BY ADDING SECTION 10-5-300 SO AS TO PROVIDE THAT BEFORE JULY 1, 2019, GOVERNMENTAL BUILDINGS AND BUILDINGS OWNED BY SCHOOL DISTRICTS MUST PROVIDE CERTAIN ACCOMMODATIONS FOR THE EXCLUSIVE USE OF WOMEN TO BREASTFEED CHILDREN OR EXPRESS BREAST MILK; BY ADDING SECTION 12-6-3740 SO AS TO PROVIDE TAX CREDITS FOR RESIDENT EMPLOYERS THAT PROVIDE SUITABLE ACCOMMODATIONS TO BREASTFEED CHILDREN OR TO EXPRESS BREAST MILK; AND BY ADDING SECTION 41-1-130 SO AS TO PROVIDE CERTAIN EMPLOYERS DAILY SHALL PROVIDE REASONABLE UNPAID BREAK TIMES TO EMPLOYEES WHO NEED TO BREASTFEED CHILDREN OR EXPRESS BREAST MILK, AND TO PROVIDE THESE BREAK TIMES MUST RUN CONCURRENTLY WITH EXISTING EMPLOYEE BREAK TIMES, IF POSSIBLE.

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

H. 4718 -- Rep. Felder: A BILL TO AMEND SECTION 9-1-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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CERTAIN EMPLOYEES BEING ABLE TO EXERCISE THE OPTION OF NOT BECOMING MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO ADD PART-TIME SCHOOL CAFETERIA WORKERS.

Referred to Committee on Ways and Means

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Brown
Bryant	Burns	Caskey
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Govan
Hamilton	Hardee	Hart
Hayes	Henderson	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McGinnis
McKnight	D. C. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson

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Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Willis
Young	Yow	

Total Present--119

STATEMENT OF ATTENDANCE

Rep. FELDER signed a statement with the Clerk that she came in after the roll call of the House and was present for the Session on Wednesday, January 24.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. Richard C. Osman of Myrtle Beach was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Rep. ALLISON presented to the House the James F. Byrnes High School Softball Team, coaches, and other school officials.

SPECIAL PRESENTATION

Rep. FRY presented to the House the St. James High School Girls Golf Team, coaches, and other school officials.

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LEAVE OF ABSENCE

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

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

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

CO-SPONSORS ADDED

Bill Number: H. 3233
Date: ADD:
01/25/18 YOUNG and ARRINGTON

CO-SPONSORS ADDED

Bill Number: H. 3595
Date: ADD:
01/25/18 TAYLOR, HIXON and YOUNG

CO-SPONSOR ADDED

Bill Number: H. 3699
Date: ADD:
01/25/18 HENDERSON-MYERS

CO-SPONSOR ADDED

Bill Number: H. 3701
Date: ADD:
01/25/18 HENDERSON-MYERS

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CO-SPONSORS ADDED

Bill Number: H. 3920
Date: ADD:
01/25/18 JEFFERSON and FORREST

CO-SPONSOR ADDED

Bill Number: H. 4375
Date: ADD:
01/25/18 HENDERSON

CO-SPONSOR ADDED

Bill Number: H. 4376
Date: ADD:
01/25/18 HENDERSON

CO-SPONSOR ADDED

Bill Number: H. 4377
Date: ADD:
01/25/18 HENDERSON

CO-SPONSOR ADDED

Bill Number: H. 4380
Date: ADD:
01/25/18 HENDERSON

CO-SPONSORS ADDED

Bill Number: H. 4458
Date: ADD:
01/25/18 FORREST, FRY, HEWITT, CRAWFORD,
MCGINNIS, OTT, BAMBERG, ERICKSON, COBB-
HUNTER, WILLIS, MACE, HILL, GAGNON,
WEST, HARDEE and WHEELER

CO-SPONSORS ADDED

Bill Number: H. 4460
Date: ADD:
01/25/18 ROBINSON-SIMPSON and MCGINNIS

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CO-SPONSOR ADDED

Bill Number: H. 4627
Date: ADD:
01/25/18 HEWITT

CO-SPONSORS ADDED

Bill Number: H. 4673
Date: ADD:
01/25/18 BRAWLEY and WEEKS

CO-SPONSOR ADDED

Bill Number: H. 4707
Date: ADD:
01/25/18 PUTNAM

CO-SPONSOR ADDED

Bill Number: H. 4709
Date: ADD:
01/25/18 PUTNAM

SENT TO THE SENATE

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 4378 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Arrington, Jefferson, King, Daning, Govan, Weeks and Pendarvis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 3, TITLE 58 SO AS TO CREATE THE UTILITY OVERSIGHT COMMITTEE AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND ADMINISTRATION OF THE COMMITTEE; TO REPEAL ARTICLE 5, CHAPTER 3, TITLE 58 RELATING TO THE STATE REGULATION OF PUBLIC UTILITIES REVIEW COMMITTEE; AND TO AMEND SECTIONS 8-13-935, 58-3-5, 58-9-280, 58-9-285, 58-9-2689, 58-27-2630, 58-31-20, AND 58-39-140, ALL RELATING TO UTILITIES AND THE REGULATION AND

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OVERSIGHT OF UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

H. 3068--AMENDED AND SENT TO THE SENATE

The following Bill was taken up:

H. 3068 -- Reps. J. E. Smith and Clyburn: A BILL TO AMEND CHAPTER 102, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATHLETE AGENTS AND STUDENT ATHLETES, SO AS TO ENACT THE "UNIFORM ATHLETE AGENTS ACT OF 2017", TO ADOPT THE INTERSTATE COMPACT FOR REGISTRATION OF STUDENT ATHLETE AGENTS AND MAKE NECESSARY CONFORMING CHANGES, TO REVISE VARIOUS PROVISIONS IN CONSIDERATION OF THE EXPANDED IMPACT OF SOCIAL MEDIA ON THE SOLICITATION AND RECRUITMENT OF STUDENT ATHLETES BY ATHLETE AGENTS, TO REVISE REQUIREMENTS REGARDING THE ESTABLISHMENT OF RELATIONSHIPS BETWEEN STUDENT ATHLETES AND ATHLETE AGENTS, AND TO REVISE VARIOUS AVAILABLE REMEDIES, AMONG OTHER THINGS.

The Committee on Education and Public Works proposed the following Amendment No. 2 to H. 3068 (COUNCIL\WAB\3068C002.AGM.WAB18), which was adopted:

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

/ SECTION 1. Chapter 102, Title 59 of the 1976 Code is amended to read:

"CHAPTER 102

Athlete Agents and Student Athletes

Section 59-102-10. This chapter may be cited as the 'Uniform Athlete Agents Act of ~~2004~~ 2017'.

Section 59-102-20. In this chapter:

(1) 'Agency contract' means an agreement in which a student athlete authorizes a person to negotiate or solicit on behalf of the student athlete a professional sports services contract or an endorsement contract.

(2) 'Athlete agent' ~~means an individual who enters into an agency contract with a student athlete or, directly or indirectly, recruits or solicits a student athlete to enter into an agency contract. The term~~

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includes an individual who represents to the public that the individual is an athlete agent. ~~The term does not include a spouse, parent, sibling, grandparent, or guardian of the student athlete or an individual acting solely on behalf of a professional sports team or professional sports organization~~

(a) means an individual, whether or not registered under this chapter, who:

(i) directly or indirectly recruits or solicits a student athlete to enter into an agency contract or, for compensation, procures employment or offers, promises, attempts, or negotiates to obtain employment for a student athlete as a professional athlete or member of a professional sports team or organization;

(ii) for compensation or in anticipation of compensation related to a student athlete's participation in athletics:

(A) serves the athlete in an advisory capacity on a matter related to finances, business pursuits, or career management decisions, unless the individual is an employee of an educational institution acting exclusively as an employee of the institution for the benefit of the institution; or

(B) manages the business affairs of the athlete by providing assistance with bills, payments, contracts, or taxes; or

(iii) in anticipation of representing a student athlete for a purpose related to the athlete's participation in athletics:

(A) gives consideration to the student athlete or another person;

(B) serves the athlete in an advisory capacity on a matter related to finances, business pursuits, or career management decisions; or

(C) manages the business affairs of the athlete by providing assistance with bills, payments, contracts, or taxes; but

(b) does not include an individual who:

(i) acts solely on behalf of a professional sports team or organization; or

(ii) is a licensed, registered, or certified professional and offers or provides services to a student athlete customarily provided by members of the profession, unless the individual:

(A) also recruits or solicits the athlete to enter into an agency contract;

(B) also, for compensation, procures employment or offers, promises, attempts, or negotiates to obtain employment for the athlete as

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a professional athlete or member of a professional sports team or organization; or

(C) receives consideration for providing the services calculated using a different method than for an individual who is not a student athlete.

(3) 'Athletic director' means an individual responsible for administering the overall athletic program of an educational institution or, if an educational institution has separately administered athletic programs for male students and female students, the athletic program for males or the athletic program for females, as appropriate.

(4) 'Contact' means a communication, direct or indirect, between an athlete agent and a student athlete to recruit or solicit the student athlete to enter into an agency contract.

(5) 'Educational institution' includes a public or private elementary school, secondary school, technical or vocational school, community college, college, and university.

(6) 'Endorsement contract' means an agreement under which a student athlete is employed or receives consideration to use a product or service based on behalf of another party any value the student athlete has because of publicity, reputation, following, or fame obtained from athletic ability or performance.

(7) 'Enrolled' means registered for courses and attending athletic practice or class. 'Enrolls' has a corresponding meaning.

(68) 'Intercollegiate sport' means a sport played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association for the promotion or regulation of that promotes or regulates collegiate athletics.

(9) 'Interscholastic sport' means a sport played between educational institutions that are not community colleges, colleges, or universities.

(10) 'Licensed, registered, or certified professional' means an individual licensed, registered, or certified as an attorney, dealer in securities, financial planner, insurance agent, real estate broker or sales agent, tax consultant, accountant, or member of a profession, other than that of athlete agent, who is licensed, registered, or certified by the state or a nationally recognized organization that licenses, registers, or certifies members of the profession on the basis of experience, education, or testing.

(711) 'Person' means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint

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venture, public corporation, other legal or commercial entity, or government, governmental subdivision, agency, or instrumentality.

(~~8~~12) 'Professional sports services contract' means an agreement under which an individual is employed or agrees to render services as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(~~9~~13) '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.

(14) 'Recruit or solicit' means attempt to influence the choice of an athlete agent by a student athlete or, if the athlete is a minor, a parent or guardian of the athlete. The term does not include giving advice on the selection of a particular agent in a family, coaching, or social situation unless the individual giving the advice does so because of the receipt or anticipated receipt of an economic benefit, directly or indirectly, from the agent.

(~~10~~15) 'Registration' means registration as an athlete agent pursuant to this chapter.

(16) 'Sign' means, with present intent to authenticate or adopt a record, to:

(a) execute or adopt a tangible symbol; or

(b) attach to or logically associate with the record an electronic symbol, sound, or process.

(~~11~~17) 'State' means the State of South Carolina when referring to this State or a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States when referring to another state.

(~~12~~18) 'Student athlete' means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in an interscholastic or intercollegiate sport. If an individual is permanently ineligible to participate in a particular interscholastic or intercollegiate sport, the individual is not a student athlete for purposes of that sport.

Section 59-102-30. (A) The provisions of the Administrative Procedures Act of Chapter 23, Title 1 apply to this chapter. The Department of Consumer Affairs may promulgate regulations to effectuate the purposes of this chapter.

(B) By acting as an athlete agent in this State, a nonresident person appoints the Director of the Department of Consumer Affairs as his agent for service of process in a civil action in this State related to his acting as an athlete agent in this State.

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(~~BC~~) The Department of Consumer Affairs may issue subpoenas for material relevant to the administration of this chapter.

Section 59-102-40. (A) Except as otherwise provided in subsection (B), a person may not act as an athlete agent in this State without holding a certificate of registration pursuant to Section 59-102-60 or 59-102-80.

(B) Before being issued a certificate of registration, a person may act as an athlete agent in this State for all purposes except signing an agency contract if:

(1) a student athlete or one acting on behalf of the student athlete initiates communication with the person; and

(2) within seven days after an initial act as an athlete agent, the person submits an application for registration as an athlete agent in this State.

(C) An agency contract resulting from conduct in violation of this section is void and the athlete agent shall return all consideration received pursuant to the contract.

Section 59-102-50. (A) An applicant for registration shall submit an application for registration to the Department of Consumer Affairs in a form prescribed by the department ~~of Consumer Affairs~~. An application filed pursuant to this section is a public record. The application must be in the name of a person and, except as otherwise provided in subsection (B), signed or otherwise authenticated by the applicant under penalty of perjury and state or contain:

(1) the name, date of birth, and place of birth of the applicant and the address of the applicant's principal place of business;

(a) the address of his principal place of business;

(b) his work and mobile telephone numbers; and

(c) any means of communicating with him electronically,

including:

(i) facsimile number;

(ii) electronic mail address; and

(iii) personal, business, or employer websites;

(2) the name of the applicant's business or employer, if applicable, including for each business or employer its mailing address, telephone number, organizational form, and the nature of the business;

(3) each social media account with which the applicant, his business, or his employer is affiliated;

(4) any business or occupation engaged in by the applicant for the five years next preceding the date of submission of the application, including self-employment and employment by others, and any

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professional or occupational license, registration, or certification held by the applicant during that time;

(45) a description of the applicant's:

- (a) formal training as an athlete agent;
- (b) practical experience as an athlete agent; and
- (c) educational background relating to his activities as an

athlete agent;

(56) the names and addresses of three individuals not related to the applicant who are willing to serve as references;

(67) the name, sport, and last known team for each individual for whom the applicant acted as an athlete agent during the five years next preceding the date of submission of the application, or, if the individual is a minor, the name of his parent or guardian;

(78) the names and addresses of all persons who are:

(a) with respect to the athlete agent's business, if it is not a corporation, the partners, members, officers, managers, associates, or profit-sharers of the business who hold an equity interest of five percent or greater in that business; and

(b) with respect to a corporation employing the athlete agent, the officers, directors, and any shareholder of the corporation having an interest of five percent or greater;

(89) whether the applicant or a person named pursuant to item (78) has been convicted of a crime that would be a crime involving moral turpitude or a felony if committed in this State, and identification of the:

(a) crime;

(b) law enforcement agency involved; and

(c) if applicable, the date of conviction and the fine or penalty imposed;

(10) whether, within fifteen years before the date of application, the applicant or a person named under item (8) has been a defendant or respondent in a civil proceeding, including a proceeding seeking an adjudication of legal incompetence and, if so, the date and a full explanation of each proceeding;

(11) whether the applicant or a person named under item (8) has an unsatisfied judgment or a judgment of continuing effect, including alimony or a family court order for child support, which is not current at the date of the application;

(12) whether, within ten years before the date of application, the applicant or a person named under paragraph (8) was adjudicated bankrupt or was an owner of a business that was adjudicated bankrupt;

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(913) whether there has been any administrative or judicial determination that the applicant or a person named pursuant to item (78) has made a false, misleading, deceptive, or fraudulent representation;

(4014) an instance in which the conduct of the applicant or a person named pursuant to item (78) resulted in the imposition against a student athlete or educational institution of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event;

(4415) a sanction, suspension, or disciplinary action taken against the applicant or a person named pursuant to item (78) arising out of occupational or professional conduct; ~~and~~

(4216) whether there has been a denial of an application for, suspension or revocation of, or refusal to renew the registration or licensure of the applicant or a person named pursuant to item (78) as an athlete agent in any state;

(17) each state in which the applicant currently is registered as an athlete agent or has applied to be registered as an athlete agent;

(18) if the applicant is certified or registered by a professional league or players association:

(a) the name of the league or association;

(b) the date of certification or registration, and the date of expiration of the certification or registration, if any; and

(c) if applicable, the date of any denial of an application for, suspension or revocation of, refusal to renew, withdrawal of, or termination of, the certification or registration or any reprimand or censure related to the certification or registration; and

(19) any additional information required by the department.

(B) Instead of submitting an application in the form prescribed pursuant to subsection (A), an applicant for registration in this State, who has applied for and holds a certificate, registration, or licensure as an athlete agent in another state, may submit a copy of that application and certificate instead of submitting an application in the form prescribed pursuant to subsection (A);

(1) a copy of the application for registration in the other state;

(2) a statement that:

(a) identifies any material change in the information on the application described in item (1), cosigned under penalty of perjury; or

(b) verifies there is no such material change provided in subitem (a), signed under penalty of perjury; and

(3) a copy of the certificate of registration from the other state.

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(C) The Department of Consumer Affairs shall accept the application and the certificate from the other state as an application for registration in this State and issue a certificate of registration to the applicant if the application to the other state:

(1) was submitted in the other state within six months next preceding the submission of the application in this State and the applicant certifies that the information contained in the application is current;

(2) contains information substantially similar to or more comprehensive than that required in an application submitted in this State; ~~and~~

(3) was signed by the applicant under penalty of perjury; and

(4) the registration has not been revoked or suspended and no action involving the person's conduct as an athlete agent is pending against the person or his registration in any state.

(D) For purposes of implementing the provisions of subsection (C), the department shall:

(1) cooperate with national organizations concerned with athlete agent issues and agencies in other states which register athlete agents to develop a common registration form and determine which states have laws that are substantially similar to or more restrictive than this chapter; and

(2) exchange information, including information related to actions taken against registered athlete agents or their registrations, with those organizations and agencies.

Section 59-102-60. (A) Except as otherwise provided in subsection (B), the Department of Consumer Affairs shall issue a certificate of registration to a person who complies with Section 59-102-50(A) or whose application has been accepted pursuant to Section 59-102-50(B).

(B) The department ~~of Consumer Affairs~~ may refuse to issue a certificate of registration if he determines the applicant has engaged in conduct that has a significantly adverse effect on the applicant's fitness to act as an athlete agent. In making the determination, the department ~~of Consumer Affairs~~ may consider whether the applicant has:

(1) pleaded guilty or no contest to, has been convicted of, or has charges pending for a crime that would be a crime involving moral turpitude or a felony if committed in this State;

(2) made a materially false, misleading, deceptive, or fraudulent representation in the application or as an athlete agent;

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(3) engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;

(4) engaged in conduct prohibited by Section 59-102-140;

(5) had a registration or licensure as an athlete agent suspended, revoked, or denied or been refused renewal of registration or licensure as an athlete agent in any state;

(6) engaged in conduct resulting in the imposition against a student athlete or educational institution of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event; or

(7) engaged in conduct that significantly adversely reflects on the applicant's credibility, honesty, or integrity.

(C) In making a determination pursuant to subsection (B), the department of ~~Consumer Affairs~~ shall consider:

(1) how recently the conduct occurred;

(2) the nature of the conduct and the context in which it occurred; and

(3) other relevant conduct of the applicant.

(D) An athlete agent registered under subsection (A) may apply to renew a registration by submitting an application for renewal in a form prescribed by the department of ~~Consumer Affairs~~. An application filed pursuant to this section is a public record. The application for renewal must be signed by the applicant under penalty of perjury and must contain current information on all matters required in an original registration.

~~(E) A person who has submitted an application for renewal of registration or licensure in another state may file a copy of that application for renewal and a valid certificate of registration or licensure from the other state instead of submitting an application for renewal in the form prescribed pursuant to subsection (D). An athlete agent registered pursuant to Section 59-102-50(C) may renew the registration by proceeding under Section 59-102-50(D) or, if registration in the other state has been renewed, by submitting to the department copies of the application for renewal in the other state and the renewed registration from the other state. The department of Consumer Affairs shall accept the application for renewal from the other state as an application for renewal in this State if the application to the other state:~~

~~(1) was submitted in the other state within six months next preceding the filing in this State and the applicant certifies the information contained in the application for renewal is current;~~

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~~(2) contains information substantially similar to or more comprehensive than that required in an application for renewal submitted in this State; and~~

~~(3) was signed by the applicant under penalty of perjury renew the registration if it determines:~~

~~(1) registration requirements of the other state are substantially similar to or more restrictive than this chapter; and~~

~~(2) the renewed registration has not been suspended or revoked and no action involving the person's conduct as an athlete agent is pending against him or his registration in any state.~~

(F) A certificate of registration or a renewal of a registration is valid for two years.

Section 59-102-70. (A) The Department of Consumer Affairs may limit, suspend, revoke, or refuse to renew a registration of a person registered pursuant to Section 59-102-60(A) for conduct that would have justified denial of registration pursuant to Section 59-102-60(B).

~~(B) A person aggrieved by an action taken by the department pursuant to this subsection or pursuant to Section 59-102-60(B) may request review by filing a request for a contested case hearing with the Administrative Law Court.~~

~~(C) The Department of Consumer Affairs may file a request for a contested case hearing with the Administrative Law Court for an order revoking or suspending the registration of an athlete agent for cause or for a violation of a provision of this chapter. The department may suspend or revoke the registration of a person registered pursuant to Section 59-102-50(C) or renewed pursuant to Section 59-102-60(E) for any reason for which the department could have refused to grant or renew registration or for conduct that would justify refusal to issue a certificate of registration pursuant to Section 59-102-60(B).~~

Section 59-102-80. The Department of Consumer Affairs may issue a temporary certificate of registration as an athlete agent while an application for registration or renewal of registration is pending.

Section 59-102-90. An application for registration or renewal of registration must be accompanied by a fee of:

(1) five hundred dollars for an initial application for registration;

~~or~~

(2) five hundred dollars for registration based on a certificate of registration issued by another state;

(3) three hundred dollars for an application for renewal of registration; or

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(4) three hundred dollars for renewal of registration based on a renewal of registration in another state.

Section 59-102-100. (A) An agency contract must be in a record that is signed or otherwise authenticated by the parties.

(B) An agency contract must include:

(1) in a statement that the athlete agent is registered as an athlete agent in this State and a list of other states in which he is registered as an athlete agent;

(2) the amount and method of calculating the consideration to be paid by the student athlete for services provided by the athlete agent under the contract and other consideration the athlete agent receives from another source for entering into the contract or for providing the services;

(23) the name of a person not listed in the application for registration or renewal of registration to be compensated because the student athlete signed the agency contract;

(34) a description of expenses the student athlete agrees to reimburse;

(45) a description of the services to be provided to the student athlete;

(56) the duration of the contract; and

(67) the date of execution.

(C) Subject to the provisions of subsection (G), an agency contract must contain, in close proximity to the signature of the student athlete, a conspicuous notice in boldface type in capital letters stating:

‘WARNING TO STUDENT ATHLETE

IF YOU SIGN THIS CONTRACT:

(1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT ATHLETE IN YOUR SPORT;

(2) ~~IF YOU HAVE AN ATHLETIC DIRECTOR, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR WITHIN 72 HOURS AFTER ENTERING INTO THIS CONTRACT~~ IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN SEVENTY-TWO HOURS AFTER SIGNING THIS CONTRACT OR BEFORE THE NEXT SCHEDULED ATHLETIC EVENT IN WHICH YOU PARTICIPATE, WHICHEVER OCCURS FIRST, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR THAT YOU HAVE ENTERED INTO THIS CONTRACT AND PROVIDE THE NAME AND CONTACT INFORMATION OF THE ATHLETE AGENT; AND

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(3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THIS CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY AS A STUDENT ATHLETE IN YOUR SPORT.

~~(D) An agency contract that does not conform to this section is voidable by the student athlete. If a student athlete voids an agency contract, the student athlete is not required to pay consideration under the contract or to return consideration received from the athlete agent to induce the student athlete to enter into the contract.~~

~~(E) The athlete agent shall give a record of the signed or otherwise authenticated agency contract to the student athlete at the time of execution~~ An agency contract must be accompanied by a separate record signed by the student athlete or, if the athlete is a minor, the parent or guardian of the athlete acknowledging that signing the contract may result in the loss of the athlete's eligibility to participate in the athlete's sport.

~~(E) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may void an agency contract that does not conform to this section. If the contract is voided, any consideration received from the athlete agent under the contract to induce entering into the contract is not required to be returned.~~

~~(F) At the time an agency contract is executed, the athlete agent shall give the student athlete or, if the athlete is a minor, the parent or guardian of the athlete a copy in a record of the contract and the separate acknowledgement required by subsection (D).~~

~~(G) If a student athlete is a minor, an agency contract must be signed by the parent or guardian of the minor and the notice required by subsection (C) must be revised accordingly.~~

Section 59-102-110. ~~(A) Within seventy-two hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete agent shall give notice in a record of the existence of the contract to the athletic director of the educational institution at which the student athlete is enrolled or the athlete agent has reasonable grounds to believe the student athlete intends to enroll.~~

~~(B) Within seventy-two hours after entering into an agency contract or before the next athletic event in which the student athlete may participate, whichever occurs first, the student athlete shall inform the athletic director of the educational institution at which the student athlete is enrolled that he or she has entered into an agency contract~~ In this section, 'communicating or attempting to communicate' means

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contacting or attempting to contact by an in-person meeting, a record, or another method that conveys or attempts to convey a message.

(B) Not later than seventy-two hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete agent shall give notice in a record of the existence of the contract to the athletic director of the educational institution at which the athlete is enrolled or at which the agent has reasonable grounds to believe the athlete intends to enroll.

(C) Not later than seventy-two hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete shall inform the athletic director of the educational institution at which the athlete is enrolled that the athlete has entered into an agency contract and the name and contact information of the athlete agent.

(D) If an athlete agent enters into an agency contract with a student athlete and the athlete subsequently enrolls at an educational institution, the agent shall notify the athletic director of the institution of the existence of the contract not later than seventy-two hours after the agent knew or should have known the athlete enrolled.

(E) If an athlete agent has a relationship with a student athlete before the athlete enrolls in an educational institution and receives an athletic scholarship from the institution, the agent shall notify the institution of the relationship not later than ten days after the enrollment if the agent knows or should have known of the enrollment and:

(1) the relationship was motivated in whole or part by the intention of the agent to recruit or solicit the athlete to enter an agency contract in the future; or

(2) the agent directly or indirectly recruited or solicited the athlete to enter an agency contract before the enrollment.

(F) An athlete agent shall give notice in a record to the athletic director of an educational institution at which a student athlete is enrolled before the agent communicates or attempts to communicate with:

(1) the athlete or, if the athlete is a minor, a parent or guardian of the athlete to influence the athlete or parent or guardian to enter into an agency contract; or

(2) another person to have that person influence the athlete or, if the athlete is a minor, the parent or guardian of the athlete to enter into an agency contract.

(G) If a communication or attempt to communicate with an athlete agent is initiated by a student athlete or another person on behalf of the

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athlete, the agent shall notify in a record the athletic director of any educational institution at which the athlete is enrolled. The notification must be made not later than ten days after the communication or attempt.

(H) An educational institution that becomes aware of a violation of this chapter by an athlete agent shall notify the Department of Consumer Affairs and a professional league or players' association with which the institution is aware the agent is licensed or registered of the violation.

Section 59-102-120. (A) A student athlete, or if the athlete is a minor, his parent or guardian may cancel an agency contract by giving notice of the cancellation to the athlete agent in a record within fourteen days after the contract is signed.

(B) ~~A student athlete may not waive~~ The right to cancel an agency contract provided in subsection (A) may not be waived.

(C) If a student athlete, parent, or guardian cancels an agency contract, the student athlete, parent, or guardian is not required to pay consideration under the contract or to return consideration received from the athlete agent to induce the ~~student~~ athlete to enter into the contract.

Section 59-102-130. (A) An athlete agent shall retain the following records for a period of five years:

(1) the name and address of each ~~individual~~ person represented by the athlete agent;

(2) an agency contract entered into by the athlete agent; and

(3) direct costs incurred by the athlete agent in the recruitment or solicitation of a student athlete to enter into an agency contract.

(B) Records retained pursuant to subsection (A) are open to inspection by the Department of Consumer Affairs during normal business hours.

Section 59-102-140. (A) An athlete agent, with the intent to induce a student athlete or, if the student athlete is a minor, a parent or guardian of the student athlete to enter into an agency contract, may not take any of the following actions or encourage another person to take or assist another person in taking any of the following actions on behalf of the athlete agent:

(1) give materially false or misleading information or make a materially false promise or representation;

(2) furnish anything of value to a student athlete before the student athlete enters into the agency contract; or

(3) furnish anything of value to an individual other than the student athlete or another registered athlete agent.

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(B) An athlete agent may not intentionally do any of the following or encourage another person to do any of the following on behalf of the athlete agent:

(1) initiate contact, directly or indirectly, with a student athlete or, if the student athlete is a minor, a parent or guardian of the student athlete to recruit the student athlete, parent, or guardian to enter an agency contract unless registered pursuant to this chapter;

(2) refuse or fail to retain or permit inspection of records pursuant to Section 59-102-130;

(3) fail to register as required by Section 59-102-40;

(4) provide materially false or misleading information in an application for registration or renewal of registration;

(5) predate or postdate an agency contract; or

(6) fail to notify a student athlete or, if the student athlete is a minor, a parent or guardian of the athlete before the student athlete, parent, or guardian signs or otherwise authenticates an agency contract for a particular sport that the signing or authentication may make the student athlete ineligible to participate as a student athlete in that sport.

Section 59-102-150. An athlete agent who violates Section 59-102-140 is guilty of a misdemeanor and, upon conviction, may be fined not more than ten thousand dollars or imprisoned for not more than three years, or both.

Section 59-102-160. ~~(A) An educational institution has a right of action against an athlete agent or a former student athlete for damages caused by a violation of this chapter. In an action pursuant to this section, the court may award costs and reasonable attorney's fees to the prevailing party.~~

~~(B) Damages to an educational institution pursuant to subsection (A) include, without limitation, losses and expenses incurred because the educational institution was injured by a violation of this chapter or was penalized, disqualified, or suspended from participation in athletics by a national association for the promotion and regulation of athletics, by an athletic conference, or by reasonable self-imposed disciplinary action taken to mitigate sanctions likely to be imposed by such an organization.~~

~~(C) A right of action pursuant to this section does not accrue until the educational institution discovers, or by the exercise of reasonable diligence would have discovered, the violation by the athlete agent or former student athlete.~~

~~(D) Liability of the athlete agent or the former student athlete pursuant to this section is several and not joint.~~

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~~(E) This chapter does not restrict rights, remedies, or defenses of a person under law or equity~~ An educational institution or student athlete may bring an action for damages against an athlete agent if the institution or athlete is adversely affected by an act or omission of the agent in violation of this chapter. An educational institution or student athlete is adversely affected by an act or omission of the agent only if, because of the act or omission, the institution or a person who was a student athlete at the time of the act or omission and enrolled in the institution:

(1) is suspended or disqualified from participation in an interscholastic or intercollegiate athletic event by or under the rules of a state or national federation or association that promotes or regulates interscholastic or intercollegiate sports; or

(2) suffers financial damage.

(B) A plaintiff that prevails in an action under this section may recover actual damages, punitive damages, costs, and reasonable attorney's fees. An athlete agent found liable under this section forfeits any right of payment for anything of benefit or value provided to the student athlete and shall refund any consideration paid to the agent by or on behalf of the athlete.

(C) A violation of this chapter is an unfair trade practice for purposes of the South Carolina Unfair Trade Practices Act.

Section 59-102-170. Upon a finding that an athlete agent has violated a provision of this chapter, as determined from admissions of the athlete agent freely and voluntarily made or as the result of a contested case hearing, the administrative law judge may assess a fine against an athlete agent not to exceed one hundred thousand dollars for a violation of this chapter.

Section 59-102-180. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Section 59-102-190. The provisions of this chapter modify, limit, or supersede the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001, et seq., but do 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)."

SECTION 2. If any section, subsection, 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

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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 3. After enactment of the provisions of this act, the Code Commissioner is authorized to insert the Official Comments, as amended, available from the Uniform Law Commission into the annotated versions of the provisions of this act, as contained in the South Carolina Code of Laws, after the appropriate provision and before the South Carolina Reporter's Comments, to the extent that the South Carolina Reporter's Comments follow a provision. The Official Comments, prepared by the Uniform Law Commission with the intent of aiding the user in understanding the provisions to the Uniform Commercial Code, are not considered part of this act and do not indicate legislative intent.

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Rep. ALLISON explained the amendment.
The amendment was then adopted.

The yeas and nays were taken resulting as follows:
Yeas 102; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Ballentine
Bamberg	Bannister	Bennett
Blackwell	Bowers	Bradley
Brawley	Brown	Bryant
Burns	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Forrest	Fry	Funderburk

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Gagnon	Gilliard	Govan
Hamilton	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Howard	Huggins	Jefferson
Johnson	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McEachern	McGinnis	McKnight
D. C. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pope	Putnam
Ridgeway	S. Rivers	Robinson-Simpson
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
Wheeler	White	Williams
Willis	Young	Yow

Total--102

Those who voted in the negative are:

Total--0

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

H. 4377--DEBATE ADJOURNED

The following Bill was taken up:

H. 4377 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, V. S. Moss, Clyburn, Bennett, Arrington, Daning, Govan, Weeks and Henderson: A BILL TO AMEND SECTION 58-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976,

[HJ]

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RELATING TO THE COMPOSITION OF THE PUBLIC SERVICE COMMISSION, SO AS TO REVISE THE MEMBERSHIP; TO AMEND SECTION 58-3-30, RELATING TO THE COMMISSIONERS OF THE PUBLIC SERVICE COMMISSION, SO AS TO REQUIRE THE COMMISSIONERS AND THEIR EMPLOYEES TO ATTEND AT LEAST SIX HOURS OF CONTINUING EDUCATION CURRICULUM; TO AMEND SECTION 58-3-225, RELATING TO THE CONDUCT OF MEETINGS OF THE PUBLIC SERVICE COMMISSION, SO AS TO REQUIRE THE COMMISSIONERS TO QUESTION THE PARTIES THOROUGHLY DURING HEARINGS OF CONTESTED CASES WHEN APPROPRIATE; AND TO AMEND SECTION 58-3-260, RELATING TO COMMUNICATIONS WITH THE PUBLIC SERVICE COMMISSION, SO AS TO ALLOW THE PUBLIC UTILITIES REVIEW COMMITTEE AND CERTAIN OTHER LEGISLATIVE OVERSIGHT COMMITTEES TO COMMUNICATE WITH THE PUBLIC SERVICE COMMISSION IN CERTAIN CIRCUMSTANCES.

Rep. MCCOY moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

H. 4376--DEBATE ADJOURNED

The following Bill was taken up:

H. 4376 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Robinson-Simpson, V. S. Moss, Bennett, Arrington, Daning, Govan, Weeks and Henderson: A BILL TO AMEND SECTION 58-31-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY, SO AS TO PROVIDE THAT THE TERMS OF ALL PRESENT MEMBERS OF THE BOARD SHALL EXPIRE ON THE EFFECTIVE DATE OF THIS SECTION AT WHICH TIME NEW MEMBERS OF THE BOARD WITH SPECIFIED QUALIFICATIONS SHALL BE APPOINTED IN THE MANNER PROVIDED IN THE SECTION, AND TO PROVIDE FOR RELATED MATTERS PERTAINING TO THE RECONSTITUTED BOARD; BY ADDING SECTION 58-31-25 SO

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AS TO PROVIDE THAT NEW OR REVISED ELECTRIC RATES AND CHARGES OF THE PUBLIC SERVICE AUTHORITY AS PROPOSED BY THE AUTHORITY MUST BE SUBMITTED TO THE PUBLIC SERVICE COMMISSION FOR APPROVAL AND DETERMINED BY THE COMMISSION IN THE MANNER PROVIDED BY ARTICLE 7, CHAPTER 27, TITLE 58 AS SUPPLEMENTED BY ANY OTHER APPLICABLE PROVISIONS OF LAW; TO AMEND SECTION 58-31-30, RELATING TO THE POWERS AND DUTIES OF THE PUBLIC SERVICE AUTHORITY AND ITS BOARD OF DIRECTORS, SO AS TO REVISE THE POWER OF THE AUTHORITY TO FIX RATES AND CHARGES SO THAT NEW AND REVISED RATES AND CHARGES SHALL BE SUBJECT TO THE JURISDICTION AND APPROVAL OF THE PUBLIC SERVICE COMMISSION AND THAT NO NEW RATES OR REVISED CHARGES MAY BE IMPOSED OR APPROVED FOR THE PURPOSE OF PAYING ANY OF THE ABANDONMENT COSTS OF THE TWO NEW NUCLEAR REACTORS CONSTRUCTED PURSUANT TO THE BASE LOAD REVIEW ACT; AND TO AMEND SECTION 58-31-360, RELATING TO THE STATE OF SOUTH CAROLINA'S COVENANTS WITH HOLDERS OF BONDED OR OTHER INDEBTEDNESS OF THE AUTHORITY, SO AS TO CLARIFY AND FURTHER PROVIDE FOR THESE COVENANTS AS A RESULT OF THE ABANDONMENT OF THE TWO NUCLEAR REACTORS REFERRED TO ABOVE.

Rep. MCCOY moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

H. 4375--DEBATE ADJOURNED

The following Bill was taken up:

H. 4375 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Martin, Magnuson, Bennett, Arrington, Daning, Weeks and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 34 TO TITLE 58 SO AS TO ESTABLISH PROVISIONS FOR SPECIFIC UTILITY PLANTS OR PROJECTS IN REGARD TO RATE DETERMINATIONS AND

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OTHER REQUIREMENTS WHICH WILL SUPPLEMENT THE GENERAL RATE PROVISIONS AND REQUIREMENTS OF ARTICLE 7, CHAPTER 27, TITLE 58; TO AMEND ARTICLES 4 AND 5, CHAPTER 33, TITLE 58, RELATING TO THE BASE LOAD REVIEW ACT OF 2007, SO AS TO FURTHER PROVIDE FOR PROCEDURAL AND OTHER MATTERS RELATING TO THE ACT, INCLUDING PROVISIONS TO DEFINE CERTAIN TERMS, AND TO PROVIDE THAT RATE INCREASES FOR THESE BASE LOAD PLANTS PROSPECTIVELY SHALL BE DETERMINED IN ACCORDANCE WITH ARTICLE 7, CHAPTER 27, TITLE 58, AS WELL AS CERTAIN REVISED PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 58-27-850, RELATING TO CHANGES OF RATES BY THE PUBLIC SERVICE COMMISSION AFTER INVESTIGATION, SO AS TO PROVIDE THAT THE PROVISIONS OF THIS SECTION AND THE ARTICLE WHEREIN IT IS CONTAINED SHALL BE SUPPLEMENTED BY THE PROVISIONS OF CHAPTER 34; AND TO DELETE ARTICLES 1, 3, AND 7 OF CHAPTER 33, TITLE 58, RELATING TO UTILITY FACILITY SITING, PROTECTIONS, AND CERTIFICATION.

Rep. MCCOY moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

H. 4380--DEBATE ADJOURNED

The following Bill was taken up:

H. 4380 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Daning, Govan, Weeks and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-27-875 SO AS TO PROVIDE THE PUBLIC SERVICE COMMISSION SHALL ORDER REFUNDS TO RATEPAYERS OF AMOUNTS COLLECTED FOR COSTS ATTRIBUTED TO PROJECTS CONSTRUCTED UNDER THE PROVISIONS OF THE BASE LOAD REVIEW ACT IN SPECIFIC CIRCUMSTANCES; TO PROVIDE UTILITIES BEAR THE BURDEN OF PROVING THAT COLLECTED COSTS MAY BE RECOVERABLE UNDER STATE LAW; AND TO PROVIDE THE COMMISSION SHALL ORDER

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SUCH REFUNDS ON JUST AND REASONABLE BASES AND MAY MAKE SUCH REFUNDS BY ESTABLISHING CREDITS TO RATEPAYERS OVER PERIODS OF TIME AND UNDER CONDITIONS THAT ARE JUST AND REASONABLE.

Rep. MCCOY moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

H. 3920--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3920 -- Reps. Felder, Funderburk, Davis, Bryant, Pope, Forrester, Sandifer, Allison, Fry, Cole, Jefferson and Forrest: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-85 SO AS TO PROVIDE THAT BEGINNING WITH THE 2018-2019 SCHOOL YEAR, ALL PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, SHALL POST AT LEAST FIVE SIGNS THAT PROVIDE TELEPHONE NUMBERS AND RELATED INFORMATION FOR REPORTING INCIDENTS OF CHILD ABUSE, NEGLECT, AND EXPLOITATION; AND TO PROVIDE DETAILS CONCERNING THE CONTENT, PLACEMENT, AND APPEARANCE OF THE SIGNS; AND BY AMENDING SECTION 63-7-910, RELATING TO A TOLL-FREE NUMBER FOR THE REFERRAL OF INCIDENTS OF CHILD ABUSE OR NEGLECT THAT THE DEPARTMENT OF SOCIAL SERVICES MAY MAINTAIN, SO AS TO REQUIRE THE DEPARTMENT TO MAINTAIN SUCH A SERVICE AND TO INCLUDE CHILD EXPLOITATION AMONG THE CATEGORIES OF REPORTABLE INCIDENTS FOR WHICH THE SERVICE IS INTENDED.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3920 (COUNCIL\WAB\3920 C001.AGM.WAB17), which was adopted:

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

/ SECTION 1. Article 1, Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Section 59-63-85. (A) Beginning in the 2018-2019 School Year, each public school and charter school shall post at least five signs that provide telephone numbers and related information for reporting incidents of child abuse, neglect, and exploitation. A school must display

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the sign conspicuously in at least one high-traffic common area that is readily accessible to and widely used by students; however, virtual schools shall post the information required by this section virtually in appropriate places in the school's learning management system.

(B) A sign required in subsection (A) must:

(1) be produced and made available at no cost by the Department of Social Services;

(2) include the statewide toll-free telephone number that may be used to report incidents of child abuse, neglect, and exploitation to the Department of Social Services;

(3) include a telephone number that may be used to report incidents of child abuse, neglect, and exploitation to the Department of Social Services;

(4) include instructions to call 911 for emergencies;

(5) include directions for accessing the Department of Social Services' website for more information on reporting abuse, neglect, and exploitation;

(6) measure at least eight and one half inches by eleven inches; and

(7) use a conspicuous font size.” /

Renumber sections to conform.

Amend title to conform.

Rep. FELDER explained the amendment.

Rep. FELDER spoke in favor of the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Anthony
Arrington	Atkinson	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Brown
Bryant	Caskey	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins

[HJ]

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Crawford	Crosby	Daning
Davis	Delleney	Dillard
Douglas	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Funderburk
Gagnon	Gilliard	Govan
Hamilton	Hardee	Hayes
Henderson	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hixon	Howard	Huggins
Jefferson	Johnson	Kirby
Knight	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McGinnis
McKnight	D. C. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Rutherford
Sandifer	Simrill	G. M. Smith
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Willis
Young	Yow	

Total--104

Those who voted in the negative are:

Total--0

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

**H. 3920--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. FELDER, with unanimous consent, it was ordered that H. 3920 be read the third time tomorrow.

[HJ]

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S. 105--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 105 -- Senators Rankin, Goldfinch and Verdin: A BILL TO AMEND SECTION 1-23-600 OF THE 1976 CODE, RELATING TO HEARINGS AND PROCEEDINGS IN CONTESTED CASES IN THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT A STAY OF AN AGENCY ORDER REMAINS IN EFFECT FOR THIRTY DAYS, RATHER THAN FOR AN UNDETERMINED TERM, OR UNTIL AN ORDER HAS BEEN ISSUED REGARDING A PRELIMINARY INJUNCTION; TO REVISE THE PROCEDURE FOR STAYS CONCERNING THE REVOCATION, SUSPENSION, OR RENEWAL OF A LICENSE AND PAYMENT OF FINES; TO DELETE THE PROVISION THAT THE COURT SHALL LIFT THE STAY FOR GOOD CAUSE SHOWN OR IF NO IRREPARABLE HARM WILL OCCUR AND ALSO DELETE THE REQUIREMENT THAT A HEARING MUST BE HELD WITHIN THIRTY DAYS TO LIFT THE AUTOMATIC STAY OR FOR A DETERMINATION OF THE APPLICABILITY OF THE AUTOMATIC STAY; TO PROVIDE THAT ANY PRELIMINARY INJUNCTION ORDERED BY THE ADMINISTRATIVE LAW COURT MAY REQUIRE THE POSTING OF A BOND OR OTHER SUFFICIENT SECURITY; AND TO EXEMPT STATE AGENCIES FROM THE REQUIREMENT TO POST A BOND UNDER THIS SECTION.

Reps. WEEKS, FRY, HILL, ANTHONY, BANNISTER, WEST, HARDEE, WHEELER, MCGINNIS, CLEMMONS, BERNSTEIN, COBB-HUNTER, CLARY, HIOTT, MURPHY, ALEXANDER, FUNDERBURK, NORRELL, MACK, B. NEWTON, GILLIARD, CROSBY, HEWITT, OTT, HIXON, DUCKWORTH, HOSEY, W. NEWTON, DOUGLAS, CRAWFORD, ERICKSON and MCEACHERN requested debate on the Bill.

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

RECURRENCE TO THE MORNING HOUR

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

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H. 3699--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3699 -- Reps. Putnam, Whipper, Brown, Knight, Henegan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 63-7-765, 63-7-770, AND 63-9-80 SO AS TO ALLOW FOR THE DISCLOSURE OF PERSONAL HEALTH INFORMATION ABOUT A CHILD TO CERTAIN CAREGIVERS AS PART OF CHILD PROTECTION OR ADOPTION PROCEEDINGS; TO AMEND SECTION 63-7-390, RELATING TO MANDATED REPORTER IMMUNITY FROM LIABILITY, SO AS TO ADD IMMUNITY PROTECTIONS; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE OR NEGLECT RECORDS, SO AS TO AUTHORIZE THE DEPARTMENT OF SOCIAL SERVICES TO RELEASE RECORDS CONTAINING PERSONAL HEALTH INFORMATION ABOUT THE CHILD TO CERTAIN CAREGIVERS; AND TO AMEND SECTION 63-7-2370, RELATING TO THE DISCLOSURE OF CERTAIN INFORMATION ABOUT A FOSTER CHILD TO A FOSTER PARENT AT THE TIME OF PLACEMENT, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3699 (COUNCIL\VR\3699C002.CC.VR18), which was adopted:

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

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

“Section 63-7-765. Prior to and at the time the department places a child with a relative providing kinship care following the removal of the child from the home, the department shall disclose to the relative all information known by the person making the placement or reasonably accessible to the person making the placement that is necessary to provide adequate care and supervision for the child and to protect the health and safety of the child and the relative’s family. The information that must be disclosed to the relative pursuant to this section includes, but is not limited to, medical and mental health conditions and history of the child, the nature of abuse or neglect to which the child has been subjected, behavioral strengths and challenges, and matters related to the child’s educational needs. If the department does not have this

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information at the time of making the placement, a member of the child's casework team or the child's caseworker shall contact the relative and provide the information known to the casework team or reasonably accessible during the first working day following the placement. The child's caseworker shall research the child's record and shall supplement the information provided to the relative no later than the end of the first week of placement if additional information is found. When the child's caseworker acquires new information which is likely to affect either the ability of the relative to provide adequate care and supervision for the child or is likely to place the health and safety of the child or the relative's family at risk, the department shall disclose that information to the relative. The obligation to provide this information continues until the placement ends."

SECTION 2. Subarticle 3, Article 3, Chapter 7, Title 63 of the 1976 Code is amended by adding:

"Section 63-7-770. (A) Prior to and at the time the department places a child in a public or private residential facility following the removal of the child from the home, the department shall disclose to the chief executive officer of the facility, or to a designated employee of the facility who provides health-related services to the child, all information known by the person making the placement or reasonably accessible to the person making the placement that is necessary to provide adequate care and supervision for the child and to protect the health and safety of the child and of other children residing in and personnel working at the facility. The information that must be disclosed pursuant to this section includes, but is not limited to, medical and mental health conditions and history of the child, the nature of abuse or neglect to which the child has been subjected, behavioral strengths and challenges, and matters related to the child's educational needs. If the department does not have this information at the time of making the placement, a member of the child's casework team or the child's caseworker shall contact the designated employee of the facility to provide the information known to the casework team or reasonably accessible during the first working day following the placement. The child's caseworker shall research the child's record and shall supplement the information provided to the facility no later than the end of the first week of placement if additional information is found. When the child's caseworker acquires new information which is likely to affect either the ability of the facility to provide adequate care and supervision for the child or is likely to place the health and safety of the child or of other children residing in the facility or the facility's personnel at risk, the department shall disclose

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that information to the designated facility employee. The obligation to provide this information continues until the placement ends.

(B) For purposes of this section, ‘public or private residential facility’ means a group home, residential treatment center, or other facility that, pursuant to a contract with or a license or permit issued by the department, provides residential services to children in the custody of the department.”

SECTION 3. Subarticle 1, Article 1, Chapter 9, Title 63 of the 1976 Code is amended by adding:

“Section 63-9-80. Prior to and at the time the department places a child with a prospective adoptive parent for purposes of adoption, the department shall disclose to the prospective adoptive parent all information known by the person making the placement or reasonably accessible to the person making the placement that is necessary to provide adequate care and supervision for the child and to protect the health and safety of the child and the prospective adoptive parent’s family. The information that must be disclosed to the prospective adoptive parent pursuant to this section includes, but is not limited to, medical and mental health conditions and history of the child, the nature of abuse or neglect to which the child has been subjected, behavioral strengths and challenges, and matters related to the child’s educational needs. If the department does not have this information at the time of making the placement, a member of the child’s casework team or the child’s caseworker shall contact the prospective adoptive parent and provide the information known to the casework team or reasonably accessible during the first working day following the placement. The child’s caseworker shall research the child’s record and shall supplement the information provided to the prospective adoptive parent no later than the end of the first week of placement if additional information is found. When the child’s caseworker acquires new information which is likely to affect either the ability of the prospective adoptive parent to provide adequate care and supervision for the child or is likely to place the health and safety of the child or the prospective adoptive parent’s family at risk, the department shall disclose that information to the prospective adoptive parent. The obligation to provide this information continues until the adoption is finalized.”

SECTION 4. Section 63-7-390 of the 1976 Code is amended to read:

“Section 63-7-390. A person required or permitted to report pursuant to Section 63-7-310 or 63-7-400 or who participates in an investigation or judicial proceedings resulting from the report, acting in good faith, is immune from civil and criminal liability which might

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otherwise result by reason of these actions. In all such civil or criminal proceedings, good faith is rebuttably presumed. Immunity under this section extends to full disclosure by the person of facts which gave the person reason to believe that the child's physical or mental health or welfare had been or might be adversely affected by abuse or neglect."

SECTION 5. Section 63-7-1990(B)(20), (C), and (D) of the 1976 Code is amended to read:

"(20) ~~prospective adoptive or foster parents before placement~~ prospective or current adoptive parents, caregivers, kinship care providers, foster parents, and public or private residential facilities, in contemplation of placement and after placement. For purposes of this item, 'public or private residential facility' has the same meaning as defined in Section 63-7-770;

(C) The department may limit the information disclosed to individuals and entities named in subsection (B)(13), (14), (15), (16), (17), (18), and (20) to that information necessary to accomplish the purposes for which it is requested or for which it is being disclosed; however, the department shall comply with subsection (D)(2) regarding the release of medical or mental health records to an individual or facility identified in subsection (B)(20). Nothing in this subsection gives to these entities or persons the right to review or copy the complete case record.

(D)(1) When a request for access to the record comes from an individual identified in subsection (B)(5), (6), or (7),₂ or that person's attorney, the department shall review any reports from medical care providers and mental health care providers to determine whether the report contains information that does not pertain to the case decision, to the treatment needs of the family as a whole, or to the care of the child. If the department determines that these conditions exist, before releasing the document, the department shall provide a written notice identifying the report to the requesting party and to the person whose treatment or assessment was the subject of the report. The notice may be mailed to the parties involved or to their attorneys or it may be delivered in person. The notice shall state that the department will release the report after ten days from the date notice was mailed to all parties and that any party objecting to release may apply to the court of competent jurisdiction for relief. When a medical or mental health provider or agency furnishes copies of reports or records to the department and designates in writing that those reports or records are not to be further disclosed, the department must not disclose those documents to persons identified in subsection (B)(5), (6), or (7),₂ or that person's attorney. The department shall identify to the requesting party the records or reports withheld

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pursuant to this subsection and shall advise the requesting party that he may contact the medical or mental health provider or agency about release of the records or reports.

(2) The department is authorized to release all records and reports in the department's possession from a child's medical providers and mental health providers to an individual or facility identified in subsection (B)(20) that are necessary for that individual or facility to provide adequate care and supervision for the child and to protect the health and safety of the child and others. The department also is authorized to and shall release the information in its possession to a child-placing agency for the benefit of a foster parent recruited, trained and supported by the child-placing agency. Information that must be released includes, but is not limited to, the following:

(a) any medical, dental, and mental health, developmental, educational or other special needs of the child, including the names and addresses of the child's health and educational providers, the child's medical history, a record of the child's immunizations, the child's current medications, the child's known medical problems, and any other pertinent health information concerning the child;

(b) the child's history of and risks relating to the child's history, including but not limited to physical or sexual trauma, physical or sexual aggression, or psychological diagnoses; and

(c) treatment plans developed for the child."

SECTION 6. Section 63-7-2370 of the 1976 Code is amended to read:

"Section 63-7-2370. Prior to and at the time the department places a child with a foster parent, the department shall disclose to the foster parent at the time the department places the child in the home all information known by the person making the placement or reasonably accessible to the person making the placement which could affect either the ability of the foster parent to care for the child or the health and safety of the child or the foster family all information known by the person making the placement or reasonably accessible to the person making the placement that is necessary to provide adequate care and supervision for the child and to protect the health and safety of the child and the foster family. This information The information that must be disclosed pursuant to this section includes, but is not limited to, medical and mental health conditions and history of the child, the nature of abuse or neglect to which the child has been subjected, behavioral ~~problems~~ strengths and challenges, and matters related to the child's educational needs. ~~If a person lacking this necessary information made the placement~~

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If the department does not have this information at the time of making the placement, a member of the child's casework team or the child's caseworker shall contact the foster parent and provide the information known to the casework team or reasonably accessible during the first working day following the placement. The child's caseworker shall research the child's record and shall supplement the information provided to the foster parent no later than the end of the first week of placement if additional information is found. When the child's caseworker acquires new information which ~~could~~ is likely to affect either the ability of the foster parent to provide adequate care and supervision for the child or is likely to place the health and safety of the child or the foster family at risk, the department shall disclose that information to the foster parent. The obligation to provide this information continues until the placement ends."

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Anthony
Arrington	Atkinson	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Brown
Bryant	Burns	Caskey
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Funderburk
Gagnon	Gilliard	Govan

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Hamilton	Hardee	Hayes
Henderson	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Jefferson
Johnson	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McGinnis
McKnight	D. C. Moss	Murphy
B. Newton	W. Newton	Norrell
Pendarvis	Pitts	Pope
Putnam	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	Spires	Tallon
Taylor	Thayer	Thigpen
Toole	Weeks	White
Whitmire	Williams	Willis
Young	Yow	

Total--104

Those who voted in the negative are:

Total--0

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

**H. 3699--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that H. 3699 be read the third time tomorrow.

H. 3701--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3701 -- Reps. Putnam, Whipper, Brown, Knight, Henegan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF

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SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-735 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO INFORM A RELATIVE WITH WHOM A CHILD MAY BE PLACED OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING LICENSED AS A FOSTER PARENT, AND TO REQUIRE THE COURT TO MAKE CERTAIN FINDINGS BEFORE SIGNING AN ORDER APPROVING PLACEMENT OF A CHILD WITH A RELATIVE WHO IS NOT A LICENSED FOSTER PARENT; TO AMEND SECTION 63-7-650, RELATING IN PART TO THE DEPARTMENT MAKING AN INTERIM PLACEMENT OF A CHILD WITH A RELATIVE INSTEAD OF TAKING CUSTODY OF A CHILD, SO AS TO REQUIRE THE DEPARTMENT TO EXPLAIN TO THE RELATIVE ABOUT THE OPPORTUNITY TO BECOME LICENSED AS A KINSHIP FOSTER PARENT IF THE CHILD IS UNABLE TO RETURN HOME; TO AMEND SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER PROGRAM, SO AS TO ALLOW THE DEPARTMENT TO WAIVE CERTAIN NONSAFETY LICENSURE REQUIREMENTS WHEN LICENSING A RELATIVE AS A FOSTER PARENT AND TO INDICATE THE PREFERENCE FOR PLACING A CHILD WITH A RELATIVE; TO AMEND SECTION 63-7-2330, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE AS PART OF A REMOVAL ACTION, SO AS TO REQUIRE THE DEPARTMENT TO INFORM THE RELATIVE OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING SO LICENSED; TO AMEND SECTION 63-7-2350, AS AMENDED, RELATING TO RESTRICTIONS ON FOSTER CARE PLACEMENTS, SO AS TO CLARIFY THE PROCESS THE DEPARTMENT MUST FOLLOW TO DETERMINE WHETHER A PERSON HAS COMMITTED A CRIME THAT MAKES THE PERSON INELIGIBLE TO BE A FOSTER PARENT; AND TO AMEND SECTION 43-1-210, AS AMENDED, RELATING TO DEPARTMENT REPORTING REQUIREMENTS, SO AS TO REQUIRE REPORTING OF KINSHIP CARE DATA.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3701 (COUNCIL\VR\3701C002.CC.VR18):

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

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/ SECTION 3. Section 63-7-2320(C) and (D)(4) of the 1976 Code is amended to read:

“(C) When a child has been removed from his home and is in the care, custody, or guardianship of the department, the department shall attempt to identify a relative who would be appropriate for placement of the child in accordance with the preliminary investigation requirements of Subarticle 3, Article 3 and in accordance with Section 63-7-1680~~(B)(6)~~(E)(1). If the department determines that it is in the best interest of a child requiring out-of-home placement that the child be placed with a relative for foster care, or if a relative advises the department that the relative is interested in providing placement for a child requiring foster care, and the relative is not already licensed to provide foster care, the department shall inform the relative of the procedures for being licensed as a kinship foster parent, assist the foster parent with the licensing process, and inform the relative of availability of payments and other services to kinship foster parents. If the relative is licensed by the department to provide kinship foster care services, in accordance with rules and regulations adopted by the department regarding kinship foster care, and a placement with the relative is made, the relative may receive payment for the full foster care rate for the care of the child and any other benefits that might be available to foster parents, whether in money or in services.

(4) Notwithstanding the requirement that a relative licensed as a kinship foster parent must be licensed in accordance with the same requirements as nonrelative applicants, the department may waive, on a case-by-case basis, for relative applicants nonsafety elements as the department deems appropriate. Safety elements, such as criminal and child abuse and neglect background checks required by Title IV-E of the Social Security Act, 42 U.S.C. Section 671(a)(20)(A), may not be waived. The department may not license a relative as a kinship foster parent or place the child with the relative if the placement would violate any provision of Section 63-7-2350. The department shall note on the standard license if there was a waiver of a nonsafety element and identify the element being waived.

(5) The department shall determine, after a thorough review of information obtained in the kinship foster care licensing process, whether the person is able to care effectively for the foster child. The review must take into consideration the parental preference and the preference for placement with a relative who is known to the child and who has a constructive and caring relationship with the child, as provided in Section 63-7-1680(E)(1). The review also must take into

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consideration the preference for the placement with a relative who, but for the removal of the child at birth, would have had a constructive and caring relationship with the child, based on the relative's fitness and ability to care for the child." /

Amend the bill further, as and if amended, by striking SECTION 6 and inserting:

/ SECTION 6. Section 43-1-210 of the 1976 Code, as last amended by Act 281 of 2014, is further amended to read:

"Section 43-1-210. (A) The director shall prepare and submit to the Governor and the General Assembly a full and detailed report of its activities and expenditures annually, including a statement of its personnel and the salaries paid, and shall likewise make such recommendations and suggestions as it shall deem advisable in the execution of its duties to the General Assembly. In addition, this report must include, but is not limited to, the following information:

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

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

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

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

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

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

(7) the number of children placed with a relative or other person pursuant to a safety plan;

(8) the number of children placed with a relative licensed as a kinship foster parent;

(9) the number of children placed with a relative not licensed as a kinship foster parent;

(10) for each case in which a relative requests to be licensed as a kinship foster parent, the number of days before a license is granted; and

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(11) the number of relatives who apply to be licensed as a kinship foster parent and request a waiver of nonsafety licensing requirements who are subsequently granted a license with the waiver.

(B) The Department of Social Services shall prepare and submit this report no later than March first of each year.” /

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

/ SECTION __. Section 63-7-20(6) of the 1976 Code, as last amended by Act 238 of 2016, is further amended to read:

“(6) ‘Child abuse or neglect’ or ‘harm’ occurs when:

(a) the parent, guardian, or other person responsible for the child’s welfare:

~~(a)(i)~~ (i) inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, but excluding corporal punishment or physical discipline which:

~~(i)(A)~~ (A) is administered by a parent or person in loco parentis;

~~(i)(B)~~ (B) is perpetrated for the sole purpose of restraining or correcting the child;

~~(i)(C)~~ (C) is reasonable in manner and moderate in degree;

~~(i)(D)~~ (D) has not brought about permanent or lasting damage to the child; and

~~(i)(E)~~ (E) is not reckless or grossly negligent behavior by the parents-;

~~(b)(ii)~~ (ii) commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child;

~~(c)(iii)~~ (iii) fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child’s age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury. However, a child’s absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child’s attendance, and those efforts were unsuccessful because of the parents’ refusal to cooperate. For the purpose of this chapter “adequate health care”

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includes any medical or nonmedical remedial health care permitted or authorized under state law;

~~(d)~~(iv) abandons the child;

~~(e)~~(v) encourages, condones, or approves the commission of delinquent acts by the child including, but not limited to, sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; or

~~(f)~~(vi) has committed abuse or neglect as described in ~~subsection~~~~subsubitems~~ ~~(a)~~(i) through ~~(e)~~(v) such that a child who subsequently becomes part of the person's household is at substantial risk of one of those forms of abuse or neglect; ~~or~~

(b) a child is a victim of trafficking in persons as defined in Section 16-3-2010, including sex trafficking, regardless of whether the perpetrator is a parent, guardian, or other person responsible for the child's welfare." /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

Reps. DELLENEY, BANNISTER, HILL, HOSEY, MACK, WHITMIRE, OTT, CRAWFORD, ANDERSON, CASKEY, WEEKS, DAVIS, ALEXANDER, KIRBY, POPE, BRYANT, BROWN, FRY and G. R. SMITH requested debate on the Bill.

H. 4697--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4697 -- Rep. Bamberg: A BILL TO AMEND SECTION 7-7-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BAMBERG COUNTY, SO AS TO DESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

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Those who voted in the affirmative are:

Alexander	Allison	Arrington
Atkinson	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brawley
Brown	Bryant	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cogswell
Cole	Collins	Crawford
Daning	Davis	Delleney
Dillard	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Funderburk
Gagnon	Gilliard	Hamilton
Hardee	Henderson	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Huggins
Jefferson	Johnson	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCravy	McEachern
McGinnis	McKnight	D. C. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson
Sandifer	Simrill	G. M. Smith
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
Wheeler	Whitmire	Willis
Young	Yow	

Total--95

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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**H. 4697--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that H. 4697 be read the third time tomorrow.

S. 882--ORDERED TO THIRD READING

The following Bill was taken up:

S. 882 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUMES 15A AND 18 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE; AND TO ADOPT THE 2017 CUMULATIVE SUPPLEMENTS TO THE CODE OF LAWS AS PART OF THE CODE AND PROVIDE THAT THESE SUPPLEMENTS, VOLUMES AS SUPPLEMENTED BY THEM, AND THE REPLACEMENT VOLUMES CONSTITUTE THE ONLY GENERAL PERMANENT STATUTORY LAWS OF THE STATE AS OF JANUARY 1, 2018.

Rep. DELLENEY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Arrington	Atkinson	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brawley	Bryant	Burns
Caskey	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hayes	Henderson
Henderson-Myers	Henegan	Herbkersman

[HJ]

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Hewitt	Hill	Hiott
Hixon	Huggins	Jefferson
Johnson	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McKnight
D. C. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pitts	Pope
Putnam	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Sandifer
Simrill	G. M. Smith	G. R. Smith
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
White	Whitmire	Williams
Willis	Young	Yow

Total--102

Those who voted in the negative are:

Total--0

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

S. 882--ORDERED TO BE READ THIRD TIME TOMORROW

On motion of Rep. DELLENEY, with unanimous consent, it was ordered that S. 882 be read the third time tomorrow.

H. 4397--RECALLED FROM ORANGEBURG DELEGATION

On motion of Rep. COBB-HUNTER, with unanimous consent, the following Bill was ordered recalled from the Committee on Orangeburg Delegation:

H. 4397 -- Rep. Cobb-Hunter: A BILL TO AMEND AN ACT OF 2017, BEARING RATIFICATION NUMBER 127, RELATING TO THE CONSOLIDATION OF THE THREE SCHOOL DISTRICTS OF ORANGEBURG COUNTY INTO ONE SCHOOL DISTRICT EFFECTIVE JULY 1, 2019, SO AS TO REVISE PROVISIONS

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PERTAINING TO THE PREPARATION AND SUBMISSION OF THE BUDGET OF THE ORANGEBURG CONSOLIDATION TRANSITION COMMITTEE, AND TO REVISE CERTAIN OTHER PROVISIONS CONTAINING OBSOLETE 2017 LANGUAGE.

**H. 3303--RECALLED AND REFERRED TO COMMITTEE
ON JUDICIARY**

On motion of Rep. ALLISON, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Judiciary:

H. 3303 -- Reps. Huggins, G. R. Smith, Robinson-Simpson and Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 101, TITLE 59 SO AS TO ENACT THE "DISCIPLINARY PROCEDURE DUE PROCESS ACT"; TO DEFINE NECESSARY TERMS; TO ESTABLISH THE REQUIREMENTS OF A PROCEEDING, TO ENUMERATE THE RIGHTS OF A STUDENT WHO IS SUBJECT TO A PROCEEDING, TO ESTABLISH STANDARDS FOR THE DISCLOSURE OF EVIDENCE RELATING TO THE PROCEEDING, TO REQUIRE WRITTEN STATEMENTS ENTERED AS EVIDENCE TO BE NOTARIZED, TO PROHIBIT CERTAIN DOCUMENTS FROM BEING USED AS EVIDENCE WITHOUT THE CONSENT OF BOTH PARTIES, TO ALLOW FOR THE INFORMAL DISPOSITION OF A PROCEEDING IN CERTAIN CIRCUMSTANCES, TO PROHIBIT IRRELEVANT, IMMATERIAL, OR UNDULY REPETITIVE EVIDENCE FROM BEING ADMITTED, TO APPLY THE STANDARDS FOR PRIVILEGE OF THE STATE TO A PARTY IN A PROCEEDING, TO ALLOW THE SUBMISSION OF EVIDENCE IN WRITTEN FORM IN CERTAIN CIRCUMSTANCES, TO REQUIRE A RECORD OF THE PROCEEDING BE MADE AND TO ENUMERATE THE REQUIRED CONTENTS OF THE RECORD, TO ALLOW A PARTY TO REQUEST A RECORDING OF THE PROCEEDING FOR TRANSCRIPTION, TO REQUIRE THE PRESIDING PERSON TO BE IMPARTIAL, TO ESTABLISH STANDARDS FOR THE PRESIDING PERSON TO MAKE A DECISION, TO REQUIRE AN INSTITUTION TO PROVIDE A STUDENT THE INTERNAL APPEALS PROCEDURE IF THE DECISION OF THE INSTITUTION IS ADVERSE TO THE STUDENT, TO ALLOW THE STUDENT OR INSTITUTION TO APPEAL TO THE CIRCUIT COURT OR

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ADMINISTRATIVE LAW COURT, TO ESTABLISH A PRESUMPTION OF NONVIOLATION FOR THE STUDENT AND THE BURDEN OF PROOF FOR THE INSTITUTION, TO REQUIRE ANY PUNISHMENT TO BE REASONABLE AND PROPORTIONATE TO THE VIOLATION, TO ALLOW THE CIRCUIT COURT OR ADMINISTRATIVE LAW COURT TO ISSUE AN INJUNCTION AND ALLOW FOR THE AWARD OF ATTORNEY'S FEES AND COSTS; AND TO ALLOW AN INSTITUTION IMMEDIATELY TO SUSPEND A STUDENT FOR ALLEGED MISCONDUCT IN CERTAIN CIRCUMSTANCES.

H. 4673--RECALLED FROM COMMITTEE ON JUDICIARY

On motion of Rep. G. M. SMITH, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

H. 4673 -- Reps. G. M. Smith, Brawley and Weeks: A BILL TO AMEND SECTION 62-2-507, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OF CERTAIN BENEFICIARY DESIGNATIONS BY DIVORCE, ANNULMENT, OR AN ORDER TERMINATING MARITAL PROPERTY RIGHTS, SO AS TO EXEMPT BENEFICIARY DESIGNATIONS UNDER EMPLOYEE BENEFIT PLANS ADMINISTERED BY THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY.

**H. 4645--RECALLED AND REFERRED TO COMMITTEE
ON AGRICULTURE, NATURAL RESOURCES AND
ENVIRONMENTAL AFFAIRS**

On motion of Rep. ALLISON, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Agriculture, Natural Resources and Environmental Affairs:

H. 4645 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 10-1-220 SO AS TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO POST VISUAL NOTIFICATION MARKERS AT LEAST FORTY-EIGHT HOURS PRIOR TO THE OUTDOOR APPLICATION OF CHEMICALS ON PUBLIC PROPERTY AND TO REQUIRE THE OWNER OF A PUBLIC BUILDING TO POST A VISUAL NOTIFICATION MARKER AT EVERY ENTRANCE INTO THE

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BUILDING THAT INFORMS A PERSON ENTERING THE BUILDING OF ANY CHEMICALS USED WITHIN THE BUILDING.

**H. 4534--RECALLED AND REFERRED TO COMMITTEE
ON LABOR, COMMERCE AND INDUSTRY**

On motion of Rep. WHITE, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means and was referred to the Committee on Labor, Commerce and Industry:

H. 4534 -- Reps. Duckworth, Johnson, Crawford, Hardee, Hewitt and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-39-165 SO AS TO PROVIDE COUNTIES OR MUNICIPALITIES MAY ENACT ORDINANCES REQUIRING THE PAYMENT OF FEES OR TAXES RELATED TO PAWN TRANSACTIONS OR PURCHASES, AND TO PROVIDE THE PROVISIONS OF CHAPTER 39, TITLE 40 DO NOT AFFECT THE AUTHORITY OF A COUNTY OR MUNICIPALITY TO ESTABLISH LAND USE CONTROLS OR REQUIRE A PAWNBROKER TO OBTAIN A LOCAL OCCUPATIONAL LICENSE; TO AMEND SECTION 40-39-40, AS AMENDED, RELATING TO THE PROHIBITION ON AUTHORIZED PAWNBROKER FEES, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 40-39-70, AS AMENDED, RELATING TO RECORDKEEPING AND MISCELLANEOUS REQUIREMENTS OF PAWNBROKERS, SO AS TO REQUIRE CERTAIN DIGITAL RECORDS AND TO PROVIDE ALL PLEDGED ITEMS MUST BE HELD FOR TWENTY-ONE DAYS; TO AMEND SECTION 40-39-90, RELATING TO RECORDS PAWNBROKERS SHALL MAINTAIN FOR INSPECTION BY CERTAIN PUBLIC OFFICIALS, SO AS TO PROVIDE MUNICIPALITIES OR COUNTY GOVERNMENTS MAY ENACT LOCAL REGULATIONS REQUIRING THE PAWNSHOPS TO PROVIDE OR TRANSFER THE PAWN RECORDS BY ELECTRONIC DATA TRANSFER TO A LAW ENFORCEMENT DATABASE; TO AMEND SECTION 40-39-145, AS AMENDED, RELATING TO HOLD ORDERS, SO AS TO REMOVE THE EXISTING PROVISIONS AND PROVIDE LAW ENFORCEMENT SHALL SEIZE SUSPECTED STOLEN OR MISAPPROPRIATED PROPERTY IN THE POSSESSION OF A PAWN SHOP, TO PROVIDE A PAWNBROKER'S RELEASE OF SUCH PROPERTY TO LAW ENFORCEMENT DOES NOT CONSTITUTE WAIVER OF THE PAWNBROKER'S INTEREST IN THE PROPERTY, AND TO

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PROVIDE PLEDGORS SHALL PAY RESTITUTION FOR STOLEN GOODS PLEDGED TO PAWNBROKERS UPON THE COMPLETION OF RELATED CRIMINAL PROCEEDINGS INVOLVING THE STOLEN PLEDGED PROPERTY; TO AMEND SECTION 40-39-160, RELATING TO PENALTIES FOR VIOLATIONS, SO AS TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS CONCERNING PAWN TICKETS; AND TO REPEAL SECTION 15 OF ACT 262 OF 2016 RELATING TO CERTAIN AUTHORITY OF COUNTIES AND MUNICIPALITIES REGARDING PAWNBROKERS.

MOTION PERIOD

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

H. 3529--DEBATE ADJOURNED

The following Bill was taken up:

H. 3529 -- Reps. Bedingfield, Sandifer, Hamilton, Forrester, Atwater, Yow, Clemmons, Crawford, Fry, Hill, Lowe, Pitts, Putnam, Anderson, Martin and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE THAT ANY REGULATION REGARDING THE USE, DISPOSITION, SALE, OR ANY IMPOSITION OF ANY PROHIBITION, RESTRICTION, FEE IMPOSITION, OR TAXATION OF AUXILIARY CONTAINERS MUST BE DONE ONLY BY THE GENERAL ASSEMBLY, TO DEFINE AUXILIARY CONTAINER, TO PROVIDE FOR LEGISLATIVE FINDINGS, AND TO PROVIDE FOR EXCEPTIONS.

Rep. SANDIFER moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

H. 3565--DEBATE ADJOURNED

The following Bill was taken up:

H. 3565 -- Reps. Fry, Crawford, Elliott, Burns, Clemmons, Allison, Jordan, Yow, Johnson, Atwater, Duckworth, Ryhal, Loftis, Hewitt, V. S. Moss, D. C. Moss, Daning, Hardee, Felder, Erickson, Bales, Hamilton, Huggins, Putnam, Anthony, Bedingfield, West, Atkinson, Bennett, B. Newton, Lucas, Arrington, Ballentine, Chumley, Crosby,

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Davis, Delleney, Forrester, Gagnon, Hixon, Long, Lowe, Murphy, Pitts, Pope, S. Rivers, Sandifer, Simrill, Stringer, Taylor, Thayer, White, Bannister, Tallon, McCravy, Quinn and McEachern: A BILL TO AMEND SECTION 1-23-600, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TIMELY REQUESTS FOR CONTESTED CASE HEARINGS UNDER THE ADMINISTRATIVE PROCEDURES ACT AND RELATED PROVISIONS, SO AS TO ESTABLISH AN AUTOMATIC STAY CONCERNING LICENSE ISSUANCES, RENEWALS AND THE LIKE, AND TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH THE AUTOMATIC STAY MAY BE LIFTED.

Rep. FRY moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

H. 3064--DEBATE ADJOURNED

The following Bill was taken up:

H. 3064 -- Reps. Rutherford, Gilliard, Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-185 SO AS TO PROVIDE THE BOARD OF PHARMACY SHALL ISSUE A WRITTEN PROTOCOL IN COMPLIANCE WITH WHICH PHARMACISTS, WITHOUT AN ORDER OF A PRACTITIONER, MAY PRESCRIBE AND DISPENSE HORMONAL CONTRACEPTIVE PATCHES AND SELF-ADMINISTERED ORAL HORMONAL CONTRACEPTIVES; TO PROVIDE THE BOARD ALSO SHALL ADOPT CERTAIN RULES TO ESTABLISH STANDARD PROCEDURES FOR THESE PRESCRIPTIONS AND DISPENSATIONS; AND TO PROVIDE THAT LAWS GOVERNING INSURANCE COVERAGE OF CONTRACEPTIVE DRUGS, DEVICES, PRODUCTS, AND SERVICES MUST BE CONSTRUED TO APPLY TO HORMONAL CONTRACEPTIVE PATCHES AND SELF-ADMINISTERED ORAL HORMONAL CONTRACEPTIVES PRESCRIBED AND DISPENSED PURSUANT TO THIS ACT.

Rep. JEFFERSON moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

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H. 3722--DEBATE ADJOURNED

The following Bill was taken up:

H. 3722 -- Ways and Means Committee: A BILL TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO THE ISSUANCE OF STATE CAPITAL IMPROVEMENT BONDS, SO AS TO AUTHORIZE ADDITIONAL PROJECTS AND CONFORM THE AGGREGATE PRINCIPAL INDEBTEDNESS AMOUNT TO THE ADDITIONAL AMOUNTS AUTHORIZED HEREBY, AND TO PROVIDE THAT THE PROVISIONS OF SECTION 2-7-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, DO NOT APPLY TO THE PROVISIONS OF THIS ACT.

Rep. WHITE moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

S. 105--DEBATE ADJOURNED

The following Bill was taken up:

S. 105 -- Senators Rankin, Goldfinch and Verdin: A BILL TO AMEND SECTION 1-23-600 OF THE 1976 CODE, RELATING TO HEARINGS AND PROCEEDINGS IN CONTESTED CASES IN THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT A STAY OF AN AGENCY ORDER REMAINS IN EFFECT FOR THIRTY DAYS, RATHER THAN FOR AN UNDETERMINED TERM, OR UNTIL AN ORDER HAS BEEN ISSUED REGARDING A PRELIMINARY INJUNCTION; TO REVISE THE PROCEDURE FOR STAYS CONCERNING THE REVOCATION, SUSPENSION, OR RENEWAL OF A LICENSE AND PAYMENT OF FINES; TO DELETE THE PROVISION THAT THE COURT SHALL LIFT THE STAY FOR GOOD CAUSE SHOWN OR IF NO IRREPARABLE HARM WILL OCCUR AND ALSO DELETE THE REQUIREMENT THAT A HEARING MUST BE HELD WITHIN THIRTY DAYS TO LIFT THE AUTOMATIC STAY OR FOR A DETERMINATION OF THE APPLICABILITY OF THE AUTOMATIC STAY; TO PROVIDE THAT ANY PRELIMINARY INJUNCTION ORDERED BY THE ADMINISTRATIVE LAW COURT MAY REQUIRE THE POSTING OF A BOND OR OTHER SUFFICIENT SECURITY; AND TO

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EXEMPT STATE AGENCIES FROM THE REQUIREMENT TO POST A BOND UNDER THIS SECTION.

Rep. FRY moved to adjourn debate on the Bill until Tuesday, January 30, which was agreed to.

H. 3701--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3701 -- Reps. Putnam, Whipper, Brown, Knight, Henegan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-735 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO INFORM A RELATIVE WITH WHOM A CHILD MAY BE PLACED OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING LICENSED AS A FOSTER PARENT, AND TO REQUIRE THE COURT TO MAKE CERTAIN FINDINGS BEFORE SIGNING AN ORDER APPROVING PLACEMENT OF A CHILD WITH A RELATIVE WHO IS NOT A LICENSED FOSTER PARENT; TO AMEND SECTION 63-7-650, RELATING IN PART TO THE DEPARTMENT MAKING AN INTERIM PLACEMENT OF A CHILD WITH A RELATIVE INSTEAD OF TAKING CUSTODY OF A CHILD, SO AS TO REQUIRE THE DEPARTMENT TO EXPLAIN TO THE RELATIVE ABOUT THE OPPORTUNITY TO BECOME LICENSED AS A KINSHIP FOSTER PARENT IF THE CHILD IS UNABLE TO RETURN HOME; TO AMEND SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER PROGRAM, SO AS TO ALLOW THE DEPARTMENT TO WAIVE CERTAIN NONSAFETY LICENSURE REQUIREMENTS WHEN LICENSING A RELATIVE AS A FOSTER PARENT AND TO INDICATE THE PREFERENCE FOR PLACING A CHILD WITH A RELATIVE; TO AMEND SECTION 63-7-2330, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE AS PART OF A REMOVAL ACTION, SO AS TO REQUIRE THE DEPARTMENT TO INFORM THE RELATIVE OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING SO LICENSED; TO AMEND SECTION 63-7-2350, AS AMENDED, RELATING TO RESTRICTIONS ON FOSTER CARE PLACEMENTS, SO AS TO CLARIFY THE PROCESS THE DEPARTMENT MUST FOLLOW TO DETERMINE WHETHER A

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PERSON HAS COMMITTED A CRIME THAT MAKES THE PERSON INELIGIBLE TO BE A FOSTER PARENT; AND TO AMEND SECTION 43-1-210, AS AMENDED, RELATING TO DEPARTMENT REPORTING REQUIREMENTS, SO AS TO REQUIRE REPORTING OF KINSHIP CARE DATA.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3701 (COUNCIL\VR\3701C002.CC.VR18), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

/ SECTION 3. Section 63-7-2320(C) and (D)(4) of the 1976 Code is amended to read:

“(C) When a child has been removed from his home and is in the care, custody, or guardianship of the department, the department shall attempt to identify a relative who would be appropriate for placement of the child in accordance with the preliminary investigation requirements of Subarticle 3, Article 3 and in accordance with Section 63-7-1680(B)(6)(E)(1). If the department determines that it is in the best interest of a child requiring out-of-home placement that the child be placed with a relative for foster care, or if a relative advises the department that the relative is interested in providing placement for a child requiring foster care, and the relative is not already licensed to provide foster care, the department shall inform the relative of the procedures for being licensed as a kinship foster parent, assist the foster parent with the licensing process, and inform the relative of availability of payments and other services to kinship foster parents. If the relative is licensed by the department to provide kinship foster care services, in accordance with rules and regulations adopted by the department regarding kinship foster care, and a placement with the relative is made, the relative may receive payment for the full foster care rate for the care of the child and any other benefits that might be available to foster parents, whether in money or in services.

(4) Notwithstanding the requirement that a relative licensed as a kinship foster parent must be licensed in accordance with the same requirements as nonrelative applicants, the department may waive, on a case-by-case basis, for relative applicants nonsafety elements as the department deems appropriate. Safety elements, such as criminal and child abuse and neglect background checks required by Title IV-E of the Social Security Act, 42 U.S.C. Section 671(a)(20)(A), may not be waived. The department may not license a relative as a kinship foster

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parent or place the child with the relative if the placement would violate any provision of Section 63-7-2350. The department shall note on the standard license if there was a waiver of a nonsafety element and identify the element being waived.

(5) The department shall determine, after a thorough review of information obtained in the kinship foster care licensing process, whether the person is able to care effectively for the foster child. The review must take into consideration the parental preference and the preference for placement with a relative who is known to the child and who has a constructive and caring relationship with the child, as provided in Section 63-7-1680(E)(1). The review also must take into consideration the preference for the placement with a relative who, but for the removal of the child at birth, would have had a constructive and caring relationship with the child, based on the relative's fitness and ability to care for the child." /

Amend the bill further, as and if amended, by striking SECTION 6 and inserting:

/ SECTION 6. Section 43-1-210 of the 1976 Code, as last amended by Act 281 of 2014, is further amended to read:

"Section 43-1-210. (A) The director shall prepare and submit to the Governor and the General Assembly a full and detailed report of its activities and expenditures annually, including a statement of its personnel and the salaries paid, and shall likewise make such recommendations and suggestions as it shall deem advisable in the execution of its duties to the General Assembly. In addition, this report must include, but is not limited to, the following information:

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

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

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

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

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

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

(7) the number of children placed with a relative or other person pursuant to a safety plan;

(8) the number of children placed with a relative licensed as a kinship foster parent;

(9) the number of children placed with a relative not licensed as a kinship foster parent;

(10) for each case in which a relative requests to be licensed as a kinship foster parent, the number of days before a license is granted; and

(11) the number of relatives who apply to be licensed as a kinship foster parent and request a waiver of nonsafety licensing requirements who are subsequently granted a license with the waiver.

(B) The Department of Social Services shall prepare and submit this report no later than March first of each year.” /

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

/ SECTION __. Section 63-7-20(6) of the 1976 Code, as last amended by Act 238 of 2016, is further amended to read:

“(6) ‘Child abuse or neglect’ or ‘harm’ occurs when:

(a) the parent, guardian, or other person responsible for the child’s welfare:

~~(a)~~(i) inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, but excluding corporal punishment or physical discipline which:

~~(i)~~(A) is administered by a parent or person in loco parentis;

~~(ii)~~(B) is perpetrated for the sole purpose of restraining or correcting the child;

~~(iii)~~(C) is reasonable in manner and moderate in degree;

~~(iv)~~(D) has not brought about permanent or lasting damage to the child; and

~~(v)~~(E) is not reckless or grossly negligent behavior by the parents-;

~~(b)~~(ii) commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child;

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~~(e)(iii)~~ fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child's age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury. However, a child's absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child's attendance, and those efforts were unsuccessful because of the parents' refusal to cooperate. For the purpose of this chapter "adequate health care" includes any medical or nonmedical remedial health care permitted or authorized under state law;

~~(d)(iv)~~ abandons the child;

~~(e)(v)~~ encourages, condones, or approves the commission of delinquent acts by the child including, but not limited to, sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; or

~~(f)(vi)~~ has committed abuse or neglect as described in ~~subsection~~~~subsubitems~~ ~~(a)(i)~~ through ~~(e)(v)~~ such that a child who subsequently becomes part of the person's household is at substantial risk of one of those forms of abuse or neglect; or

(b) a child is a victim of trafficking in persons as defined in Section 16-3-2010, including sex trafficking, regardless of whether the perpetrator is a parent, guardian, or other person responsible for the child's welfare." /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER spoke in favor of the amendment.

The amendment was then adopted.

Rep. BANNISTER proposed the following Amendment No. 2 to H. 3701 (COUNCIL\AHB\3701C002.AGM.AHB18), which was adopted:

Amend the bill, as and if amended, page 3701-4, lines 39-42, by deleting Section 63-7-20(6)(b) and inserting:

/ (b) a child is a victim of trafficking in persons as defined in Section 16-3-2010, including sex trafficking, regardless of whether the perpetrator is a parent, guardian, or other person responsible for the child's welfare. If acts or omissions by a parent, guardian, or other person responsible for the child's welfare was not the proximate cause

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of the child being a victim of trafficking in persons, then the Department of Social Services may not find or indicate against the parent, guardian, or other person responsible for the child's welfare pursuant to this subitem.” /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Arrington	Atkinson	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brawley	Brown	Bryant
Burns	Caskey	Chumley
Clary	Clemmons	Clyburn
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Funderburk	Gagnon
Gilliard	Hamilton	Hayes
Henderson	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hixon	Howard	Huggins
Jefferson	Johnson	Kirby
Knight	Loftis	Long
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McGinnis
McKnight	D. C. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pitts

[HJ]

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Pope	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Sandifer
Simrill	G. M. Smith	G. R. Smith
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Willis
Young	Yow	

Total--101

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. 3701--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that H. 3701 be read the third time tomorrow.

RECURRENCE TO THE MORNING HOUR

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

HOUSE RESOLUTION

The following was introduced:

H. 4719 -- Reps. Hixon, Blackwell, Clyburn, Taylor and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR LARK JONES, MAYOR OF NORTH AUGUSTA, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-TWO YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

THURSDAY, JANUARY 25, 2018

HOUSE RESOLUTION

The following was introduced:

H. 4720 -- Rep. Anderson: A HOUSE RESOLUTION TO WELCOME REVEREND DR. SAMUEL C. TOLBERT, JR., AND HIS MESSAGE TO SOUTH CAROLINA FOR THE OCCASION OF THE JERUSALEM MISSIONARY BAPTIST AND EDUCATIONAL ASSOCIATION'S PRAISE AND PRAYER WEEKEND.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4721 -- Reps. West, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO SALUTE THE HONORABLE JAMES P. "SONNY" DAVIS ON HIS RETIREMENT FROM HONEA PATH TOWN COUNCIL AND TO EXPRESS GRATITUDE FOR HIS MANY YEARS OF COMMITTED SERVICE TO THE PEOPLE OF THE TOWN OF HONEA PATH.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4722 -- Reps. B. Newton, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE THE IMPORTANCE OF IMPROVING AWARENESS OF HEALTH SELF-CARE AND THE VALUE IT REPRESENTS TO THE CITIZENS OF SOUTH CAROLINA AND TO DECLARE FEBRUARY 2018 AS SELF-CARE MONTH IN SOUTH CAROLINA.

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 4723 -- Reps. Loftis, Burns, Magnuson, Long, Chumley and D. C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-27-260 SO AS TO REQUIRE ELECTRIC UTILITIES AND COOPERATIVES TO OFFER CUSTOMERS A NO-FEE SMART METER OPT-OUT, TO REQUIRE THE PUBLIC SERVICE COMMISSION TO SUBMIT CERTAIN REPORTS TO THE SENATE AND HOUSE

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COMMITTEES ON LABOR, COMMERCE AND INDUSTRY, AND
TO PROVIDE DEFINITIONS.

Referred to Committee on Labor, Commerce and Industry

H. 4724 -- Reps. Putnam and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-20-210 SO AS TO DEFINE NECESSARY TERMS, TO PROHIBIT A TELEMARKETER OR TELEPHONE SOLICITOR FROM MAKING A CONSUMER TELEPHONE CALL WITH A SPOOFED TELEPHONE NUMBER THAT DISPLAYS A SOUTH CAROLINA AREA CODE ON THE RECIPIENT'S CALLER IDENTIFICATION SYSTEM UNLESS THE TELEMARKETER OR TELEPHONE SOLICITOR MAINTAINS A PHYSICAL PRESENCE IN THE STATE, TO PROVIDE REMEDIES FOR VIOLATIONS, AND TO PROVIDE EXCEPTIONS.

Referred to Committee on Labor, Commerce and Industry

H. 4725 -- Reps. Brown, Mack, Gilliard, Thigpen, Dillard and Pendarvis: A BILL TO AMEND SECTION 9-1-2210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM, SO AS TO EXTEND THE DATE ON WHICH THE AVAILABILITY OF PARTICIPATION IN THE PROGRAM ENDS TO JUNE 30, 2021; AND TO AMEND ACT 278 OF 2012, RELATING TO RETIREMENT SYSTEMS, SO AS TO EXTEND THE DATE ON WHICH SECTION 9-1-2210 IS REPEALED UNTIL JUNE 30, 2021.

Referred to Committee on Ways and Means

H. 4726 -- Rep. Pitts: A BILL TO AMEND SECTION 56-5-5670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES IMPOSED ON A DEMOLISHER OR SECONDARY METALS RECYCLER, SO AS TO DEFINE THE TERM "AUTOMOTIVE RECYCLER", TO PROVIDE THAT CERTAIN PROVISIONS IN THIS SECTION APPLY TO AN AUTOMOTIVE RECYCLER, AND TO PROVIDE THAT CERTAIN PROVISIONS CONTAINED IN THIS SECTION SHALL NOT APPLY TO SALES CONDUCTED AT SALVAGE POOL AUCTIONS.

Referred to Committee on Labor, Commerce and Industry

H. 4727 -- Reps. White, Hardee, Yow, Huggins, Jefferson, Hosey, Anderson, West, Hewitt, Finlay, Ott, Duckworth and Sandifer: A BILL

[HJ]

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TO AMEND SECTION 48-59-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO EXTEND VOTING PRIVILEGES TO CERTAIN MEMBERS AND TO PROHIBIT CERTAIN MEMBERS FROM SERVING AS CHAIRMAN; TO AMEND SECTION 48-59-50, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO REQUIRE THE BANK TO DEVELOP CRITERIA AND A CONSERVATION PRIORITIZATION MAP, AND TO PROHIBIT THE AWARD OF A GRANT OR LOAN UNLESS THE FUNDS ARE PRESENTLY AVAILABLE IN THE TRUST FUND; TO AMEND SECTION 48-59-70, RELATING TO GRANTS OR LOANS FOR LAND INTERESTS, SO AS TO EXPAND THE CONSERVATION CRITERIA TO INCLUDE THE VALUE OF THE PROPOSAL FOR ACCESS TO THE PUBLIC, TO REQUIRE CERTAIN ACCESS DISCLOSURES ON A GRANT OR LOAN APPLICATION, AND TO PROHIBIT THE PURCHASE OF A CONSERVATION EASEMENT FOR MORE THAN FIVE HUNDRED THOUSAND DOLLARS; TO REPEAL SECTION 12-24-95 RELATING TO THE PORTION OF THE DEED RECORDING FEE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND; AND TO REPEAL SECTION 7 OF ACT 200 OF 2002 RELATING TO THE REQUIREMENT TO PERIODICALLY REAUTHORIZE THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND.

Referred to Committee on Ways and Means

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4669 -- Reps. Clemmons, Weeks, Erickson, Crawford, Hiott, Forrester, G. R. Smith, Bernstein, Bennett, Rutherford, Douglas, Felder, Funderburk, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crosby, Daning, Davis, Delleney, Dillard, Duckworth, Elliott, Finlay, Forrest, Fry, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson,

[HJ]

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Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE SEVENTIETH ANNIVERSARY OF THE FOUNDING OF THE MODERN STATE OF ISRAEL AND TO REAFFIRM THE BONDS OF CLOSE FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF SOUTH CAROLINA AND ISRAEL.

H. 4668 -- Reps. Hewitt, Anderson, Alexander, Allison, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BATTALION CHIEF JOSHUA CARNEY OF HORRY COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

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ADJOURNMENT

At 12:04 p.m. the House, in accordance with the motion of Rep. RIDGEWAY, adjourned in memory of Hayes F. Samuels, Jr., to meet at 10:00 a.m. tomorrow.

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