

NO. 20

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



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017**

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**WEDNESDAY, FEBRUARY 14, 2018**  
**(STATEWIDE SESSION)**

**Wednesday, February 14, 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 Psalm 111:7: “The works of your hands are faithfulness and justice.”

Let us pray. We raise our hands and voices before You, O Lord, for granting these women and men the time and effort to listen and be faithful to You and those here who have been chosen to represent the people of this State. Lead them to do justice and love mercy. May Your love encircle them in all they do and say. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in this Assembly. Bless and 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, 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.

**MOTION ADOPTED**

Rep. COBB-HUNTER moved that when the House adjourns, it adjourn in memory of former Representative Reverend Doctor Kenneth Elvin Bailey, Sr., which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer in memory of former Representative Joe Neal.

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**REGULATIONS RECEIVED**

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

Document No. 4800

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 44-71-10 et seq.

Standards for Licensing Hospices

Received by Speaker of the House of Representatives

February 14, 2018

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration February 11, 2019

**ROLL CALL**

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

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brawley
Brown	Bryant	Burns
Caskey	Chumley	Clary
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

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

**Total Present--118**

**STATEMENT OF ATTENDANCE**

Rep. CRAWFORD signed a statement with the Clerk that she came in after the roll call of the House and was present for the Session on Thursday, February 8.

**STATEMENT OF ATTENDANCE**

Rep. CRAWFORD signed a statement with the Clerk that she came in after the roll call of the House and was present for the Session on Tuesday, February 13.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

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**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Helmut Albrecht of Columbia was the Doctor of the Day for the General Assembly.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SPECIAL PRESENTATION**

Rep. B. NEWTON presented to the House the Indian Land High School Girls Soccer Team, coaches, and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

Bill Number: H. 3473  
Date: ADD:  
02/14/18 ELLIOTT

**CO-SPONSOR ADDED**

Bill Number: H. 3614  
Date: ADD:  
02/14/18 S. RIVERS

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**CO-SPONSOR ADDED**

Bill Number: H. 3786  
Date: ADD:  
02/14/18 S. RIVERS

**CO-SPONSOR ADDED**

Bill Number: H. 3990  
Date: ADD:  
02/14/18 S. RIVERS

**CO-SPONSOR ADDED**

Bill Number: H. 4009  
Date: ADD:  
02/14/18 S. RIVERS

**CO-SPONSOR ADDED**

Bill Number: H. 4029  
Date: ADD:  
02/14/18 S. RIVERS

**CO-SPONSOR ADDED**

Bill Number: H. 4065  
Date: ADD:  
02/14/18 S. RIVERS

**CO-SPONSOR ADDED**

Bill Number: H. 4077  
Date: ADD:  
02/14/18 YOW

**CO-SPONSOR ADDED**

Bill Number: H. 4162  
Date: ADD:  
02/14/18 PNDARVIS

**CO-SPONSOR ADDED**

Bill Number: H. 4303  
Date: ADD:  
02/14/18 S. RIVERS

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**CO-SPONSOR ADDED**

Bill Number: H. 4377  
Date: ADD:  
02/14/18 WILLIAMS

**CO-SPONSOR ADDED**

Bill Number: H. 4407  
Date: ADD:  
02/14/18 S. RIVERS

**CO-SPONSOR ADDED**

Bill Number: H. 4435  
Date: ADD:  
02/14/18 BRAWLEY

**CO-SPONSOR ADDED**

Bill Number: H. 4628  
Date: ADD:  
02/14/18 HENDERSON

**CO-SPONSORS ADDED**

Bill Number: H. 4727  
Date: ADD:  
02/14/18 ELLIOTT and S. RIVERS

**CO-SPONSORS ADDED**

Bill Number: H. 4798  
Date: ADD:  
02/14/18 HIXON, TAYLOR, FORREST and YOUNG

**CO-SPONSOR ADDED**

Bill Number: H. 4816  
Date: ADD:  
02/14/18 ELLIOTT

**CO-SPONSOR ADDED**

Bill Number: H. 4828  
Date: ADD:  
02/14/18 WILLIAMS

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**CO-SPONSOR ADDED**

Bill Number: H. 4874  
Date: ADD:  
02/14/18 ATWATER

**CO-SPONSOR REMOVED**

Bill Number: H. 3896  
Date: REMOVE:  
02/14/18 S. RIVERS

**SPEAKER IN CHAIR**

**H. 4858--SENT TO THE SENATE**

The following Bill was taken up:

H. 4858 -- Reps. Kirby, Yow, Clyburn, Gilliard, Cobb-Hunter, Williams, McKnight, Robinson-Simpson, Brawley, Alexander, Norrell, Ott, Atwater, Jefferson, Bernstein, Wheeler, McGinnis, Douglas, Hosey, Henderson-Myers, Trantham, Arrington, Stavrinakis, Davis, Magnuson, B. Newton, Bamberg, McCravy, J. E. Smith, Bales, Bennett, Brown, Cogswell, Crosby, Dillard, Elliott, Felder, Forrest, Johnson, Loftis, Lowe, V. S. Moss, Pendarvis, Pitts, M. Rivers, G. R. Smith, Taylor, Thigpen, Young, Henegan, Anderson, McEachern and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-240 SO AS TO DESIGNATE THE TWENTY-FIRST DAY OF OCTOBER OF EACH YEAR AS "DR. RONALD MCNAIR DAY" IN SOUTH CAROLINA.

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

Yeas 91; Nays 0

Those who voted in the affirmative are:

Alexander	Anthony	Atwater
Bales	Ballentine	Bannister
Bennett	Blackwell	Bradley
Brawley	Bryant	Caskey
Chumley	Clary	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crosby	Daning

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Davis	Delleney	Dillard
Douglas	Duckworth	Elliott
Erickson	Forrest	Forrester
Fry	Gagnon	Gilliard
Govan	Hamilton	Hardee
Henderson	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Long	Lowe
Lucas	Mace	Magnuson
Martin	McCoy	McCray
McEachern	McGinnis	D. C. Moss
V. S. Moss	W. Newton	Norrell
Ott	Parks	Pendarvis
Pitts	Pope	Ridgeway
S. Rivers	Robinson-Simpson	Simrill
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Toole	Trantham
Weeks	Wheeler	White
Williams	Willis	Young
Yow		

**Total--91**

Those who voted in the negative are:

**Total--0**

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

**H. 4828--POINT OF ORDER**

The following Bill was taken up:

H. 4828 -- Reps. Hixon, Hiott, Yow and Williams: A BILL TO AMEND SECTION 50-9-740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES YOUTH HUNTING DAYS, SO AS TO PROVIDE THAT YOUTH HUNTERS FIFTEEN YEARS OF AGE

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AND UNDER MUST BE ACCOMPANIED BY A LICENSED ADULT ON A YOUTH HUNTING DAY AND TO PROVIDE THAT THE LICENSE AND TAG REQUIREMENT IS WAIVED FOR A YOUTH HUNTER ON A YOUTH HUNTING DAY.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4807--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4807 -- Reps. Hixon, Hiott, Kirby and Yow: A BILL TO AMEND SECTION 7 OF ACT 41 OF 2015, RELATING TO THE ACT'S TIME EFFECTIVE CLAUSE, SO AS TO EXTEND THE PERIOD IN WHICH WILD TURKEY SEASONS AND BAG LIMITS FOR CERTAIN COUNTIES ARE SUSPENDED.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No.1 to H. 4807 (COUNCIL\CM\4807C001.GT.CM18), which was adopted:

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

\ SECTION 1. Section 7 of Act 41 of 2015 is amended to read:

“SECTION 7. This act takes effect on June 30, 2015. Provided, upon the effective date of this act until ~~November 7, 2018~~ July 1, 2020, the provisions of Section 50-11-520 are suspended. On ~~November 7, 2018~~ July 1, 2020, the turkey hunting seasons and bag limits in effect for the respective counties prior to the effective date of this act and delineated in Section 50-11-520 are effective, and Section 50-11-580 are repealed.”

SECTION 2. This act takes effect upon approval by the Governor. /  
Re-number sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

The amendment was then adopted.

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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	Anthony
Arrington	Atwater	Bales
Ballentine	Bannister	Bennett
Blackwell	Bradley	Brawley
Burns	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Forrest	Forrester	Fry
Gagnon	Gilliard	Govan
Hamilton	Hardee	Hayes
Henderson	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCrary	McEachern	McGinnis
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Parks	Pendarvis
Pitts	Pope	Ridgeway
S. Rivers	Robinson-Simpson	Sandifer
Simrill	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	White

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Whitmire  
Young

Williams  
Yow

Willis

**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. 4411--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4411 -- Rep. Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 48-39-40 RELATING TO THE COASTAL ZONE MANAGEMENT APPELLATE PANEL.

Rep. DILLARD explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Bales
Ballentine	Bannister	Blackwell
Bradley	Brawley	Bryant
Burns	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Douglas	Duckworth	Elliott
Erickson	Felder	Forrest
Forrester	Fry	Gagnon
Gilliard	Hamilton	Hardee
Hart	Hayes	Henderson
Henderson-Myers	Henegan	Herbkersman

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Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McGinnis
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Parks	Pendarvis	Pitts
Pope	Ridgeway	S. Rivers
Robinson-Simpson	Rutherford	Sandifer
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole
Trantham	Weeks	West
Wheeler	White	Whitmire
Williams	Willis	Young
Yow		

**Total--103**

Those who voted in the negative are:

**Total--0**

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

**H. 4643--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4643 -- Reps. Thayer, Magnuson, Jefferson, Gagnon, Allison, West, Clyburn, Erickson, Hill, Pitts, Toole and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO ESTABLISH THAT A DIRECT PRIMARY CARE AGREEMENT IS NOT A CONTRACT OF INSURANCE AND NOT SUBJECT TO REGULATION BY THE DEPARTMENT OF INSURANCE, AND TO DEFINE THE TERM DIRECT PRIMARY CARE AGREEMENT.

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The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4643 (COUNCIL\CZ\4643 C001.DKA.CZ18), which was adopted:

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

/ SECTION 1. Chapter 61, Title 38 of the 1976 Code is amended by adding:

“Section 38-61-80. (A) A direct primary care agreement is not a contract of insurance in this State and is not subject to regulation by the Department of Insurance.

(B) For purposes of this section:

(1) ‘Direct primary care agreement’ or ‘agreement’ means a written agreement between a patient or the patient’s legal representative and a direct primary care provider in which the provider agrees to provide direct primary care services as defined in this section.

(2) ‘Direct primary care fee’ or ‘fee’ means the fee charged by a direct primary care provider or practice for being available to provide and for providing direct primary care services specified in the direct primary care agreement.

(3) ‘Direct primary care services’ means routine health care services, such as:

(a) screening, assessment, diagnosis, and treatment for the purpose of promotion of health or the detection and management of disease or injury;

(b) provision of medical supplies and prescription drugs that are prescribed or dispensed in a health care provider’s office; and

(c) laboratory work including routine blood screening or routine pathology screening performed by a laboratory meeting the requirements of applicable state law.

(4) ‘Direct primary care provider’ means a physician who provides direct primary care services in compliance with this section and is licensed to practice medicine in this State under Chapter 47, Title 40, or a practice of such physicians.

(C) The direct primary care agreement must:

(1) be in writing and signed by the patient or the patient’s legal representative and the direct primary care provider;

(2) allow either party to terminate the agreement in writing, without penalty or payment of a termination fee, by giving the other party at least thirty days’ advance notice;

(3) describe the direct primary care services to be provided in exchange for payment of a fee;

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(4) specify the amount of the monthly direct primary care fee for providing direct primary care services under the direct primary care agreement;

(5) specify the amount of any additional fees or charges for services to be provided that will not be covered by the direct primary care fee;

(6) prohibit the direct primary care provider from charging or receiving additional compensation for health care services included in the fee; and

(7) conspicuously and prominently include on the front page of the agreement the following notice initialed by the patient or the patient's legal representative:

'THIS AGREEMENT DOES NOT CONSTITUTE INSURANCE AND IS NOT A SUBSTITUTE FOR MAJOR MEDICAL COVERAGE. THIS AGREEMENT COVERS ONLY THE DIRECT PRIMARY CARE SERVICES DESCRIBED IN THIS AGREEMENT. PATIENT WILL BE RESPONSIBLE TO PAY FOR SERVICES NOT SPECIFIED IN THIS AGREEMENT. PATIENT MAY NOT FILE OR OTHERWISE SUBMIT A CLAIM TO, OR RECEIVE REIMBURSEMENT FROM, ANY INSURER FOR SERVICES PROVIDED IN ACCORDANCE WITH A DIRECT PRIMARY CARE AGREEMENT.'

(D) Direct primary care providers shall report to the Department of Consumer Affairs its participation in a direct primary care practice. The form, content, and procedure for this report must be developed in a manner prescribed by the administrator of the Department of Consumer Affairs and must specify, at a minimum, the name and business address of the direct primary care practice and participating physicians. The Department of Consumer Affairs shall make publicly-available on its website a list of the names and business addresses of all participating direct primary care practices and physicians.

SECTION 2. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

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

Rep. ATWATER explained the Bill.

The question then recurred to the passage of the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Atkinson	Atwater	Bales
Ballentine	Bannister	Bernstein
Blackwell	Bowers	Bradley
Brawley	Burns	Caskey
Chumley	Clary	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Douglas	Duckworth	Elliott
Erickson	Felder	Forrest
Forrester	Fry	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCrary
McEachern	McGinnis	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Ridgeway	S. Rivers	Robinson-Simpson
Sandifer	Simrill	J. E. Smith
Sottile	Spires	Stavrinakis
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Young
Yow		

**Total--100**



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Those who voted in the negative are:

**Total--0**

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

**H. 4657--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4657 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMINISTRATIVE PENALTIES FOR THE VIOLATION OF THE INSURANCE LAWS OF SOUTH CAROLINA, SO AS TO ALLOW THE DEPARTMENT OF INSURANCE TO ENFORCE THESE PENALTIES FOR VIOLATIONS OF FEDERAL INSURANCE LAWS SUBJECT TO ENFORCEMENT BY THE DEPARTMENT; TO AMEND SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO CONDUCT EXAMINATIONS AND INVESTIGATIONS, SO AS TO REQUIRE THAT INFORMATION RELATED TO AN EXAMINATION OR INVESTIGATION TO BE TREATED AS PRIVILEGED AND CONFIDENTIAL; TO AMEND SECTION 38-13-70, RELATING TO INVESTIGATIONS CONDUCTED BY THE DEPARTMENT OF INSURANCE, SO AS TO AUTHORIZE THE DEPARTMENT TO RESPOND TO MOTIONS AND COMPLAINTS AGAINST HEALTH MAINTENANCE ORGANIZATIONS AND PERSONS LICENSED TO TRANSACT THE BUSINESS OF INSURANCE IN THIS STATE AND TO ESTABLISH A DEADLINE FOR RESPONSES TO THE DEPARTMENT'S INQUIRIES; TO AMEND SECTION 38-21-290, AS AMENDED, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO PROVIDE DOCUMENTS, MATERIALS, OR OTHER INFORMATION SUBMITTED IN SUPPORT OF AN APPLICATION MUST BE TREATED AS CONFIDENTIAL; TO AMEND SECTION 38-33-170, RELATING TO THE EXAMINATIONS OF THE AFFAIRS OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO REQUIRE AN EXAMINATION NO LESS THAN EVERY FIVE YEARS; TO AMEND SECTION 38-33-230, RELATING TO LEVY OF ADMINISTRATIVE PENALTY IN LIEU OF OTHER PENALTIES, SO AS TO ALLOW THE LEVY OF AN

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ADMINISTRATIVE PENALTY FOR VIOLATIONS OF STATE AND FEDERAL INSURANCE LAWS SUBJECT TO ENFORCEMENT BY THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-61-20, RELATING TO THE APPROVAL OF INSURANCE POLICIES, CONTRACTS, OR POLICIES BY THE DEPARTMENT OF INSURANCE, SO AS TO REQUIRE THAT ALL FORMS FILED WITH THE DEPARTMENT SATISFY ALL APPLICABLE STATE AND FEDERAL LAWS AND TO AUTHORIZE THE DIRECTOR TO IMPOSE A PENALTY IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 38-71-90, RELATING TO THE PENALTIES FOR ISSUING OR DELIVERING A POLICY THAT VIOLATES CHAPTER 71, SO AS TO EXTEND THE PENALTIES TO ANY INSURER OR HEALTH MAINTENANCE ORGANIZATION WHO VIOLATES APPLICABLE STATE OR FEDERAL LAWS GOVERNING THE TRANSACTION OF THE BUSINESS OF INSURANCE SUBJECT TO ENFORCEMENT BY THE DEPARTMENT OF INSURANCE.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4657 (COUNCIL\CZ\4657 C002.DKA.CZ18), which was adopted:

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

/ SECTION 1. Section 38-2-10 of the 1976 Code is amended to read:

“Section 38-2-10. (A) Unless otherwise specifically provided by law, the following administrative penalties apply for each violation of the insurance laws of this State or federal insurance laws subject to enforcement by the Department of Insurance:

(1) If the violator is an insurer or a health maintenance organization licensed in this State, the director or his designee shall ~~(a)~~ fine the violator in an amount not to exceed fifteen thousand dollars, ~~or~~ ~~(b)~~ suspend or revoke the violator’s authority to do business in this State, or both. If the violation is wilful, the director or his designee shall ~~(a)~~ fine the violator in an amount not to exceed thirty thousand dollars, ~~or~~ ~~(b)~~ suspend or revoke the violator’s authority to do business in this State, or both.

(2) If the violator is a person, other than an insurer or a health maintenance organization, licensed by the director or his designee in this State, the director or his designee shall ~~(a)~~ fine the person in an amount not to exceed two thousand five hundred dollars, ~~or~~ ~~(b)~~ suspend or

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revoke the license of the person, or both. If the violation is wilful, the director or his designee shall ~~(a)~~ fine the person in an amount not to exceed five thousand dollars, ~~or (b)~~ suspend or revoke the license of the person, or both.

(B) The penalties in ~~items (1) and (2)~~ subsection (A) are in addition to any criminal penalties provided by law or any other remedies provided by law. The administrative proceedings in ~~items (1) and (2)~~ subsection (A) do not preclude civil or criminal proceedings from taking place before, during, or after the administrative proceeding.”

SECTION 2. Section 38-13-70 of the 1976 Code is amended to read:

“Section 38-13-70. Upon his own motion or upon written complaint filed by a citizen of this State that an insurer, health maintenance organization, or other person licensed or authorized to transact business in this State has violated this title, the director or his designee shall investigate the matter and, if necessary, examine under oath the president and other officers or agents of the insurer, health maintenance organization, or other person and all books, records, and papers of the insurer, health maintenance organization, or other person. The insurer, health maintenance organization, or other person and its representatives shall respond to the department’s inquiries, requests for information or investigations within seven calendar days or within a larger timeframe granted by the director or his designee. If the director or his designee finds upon substantial evidence that a complaint ~~against an insurer~~ is justified, the insurer, health maintenance organization, or other person, in addition to the penalties imposed for violation of this title, is liable for the expenses of the investigation, and the director or his designee shall promptly present the insurer with a statement of the expenses. If the insurer, health maintenance organization, or other person refuses or neglects to pay, the director or his designee is authorized to revoke its license and to bring civil action for the collection of the expenses.”

SECTION 3. Section 38-33-170(A) and (B) of the 1976 Code is amended to read:

“(A) The director or his designee may make an examination of the affairs of a health maintenance organization and providers with whom the organization has contracts, agreements, or other arrangements as often as is reasonably necessary for the protection of the interests of the people of this State but not less frequently than once every ~~three~~ five years. The director or his designee may accept the report of an examination made by the state where the health maintenance organization is domiciled.

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(B) The director or his designee may make an examination concerning the quality of health care service of a health maintenance organization and providers with whom the organization has contracts, agreements, or other arrangements as often as is reasonably necessary for the protection of the interests of the people of this State but not less frequently than once every ~~three~~ five years.”

SECTION 4. Section 38-33-230(A) of the 1976 Code is amended to read:

“(A) The director or his designee ~~may~~, in lieu of revocation or suspension of a certificate of authority under Section 38-33-180, may levy an administrative penalty of not more than fifteen thousand dollars for each violation of state or federal laws the Department of Insurance is authorized to enforce or ground as prescribed therein. A series of acts by an organization which merely implement a basic violation and are not separate and distinct violations of an independent nature are considered to be part of the basic violation and only one penalty may be imposed. A monetary penalty may be imposed under this paragraph only after notice and an opportunity to be heard have been afforded in accordance with Section 38-33-210.”

SECTION 5. Section 38-61-20(A) and (C) of the 1976 Code is amended to read:

“(A) It is unlawful for an insurer doing business in this State to issue or sell in this State a policy, contract, or certificate until it has been filed with and approved by the director or his designee. The director or his designee may disapprove the form if it:

(1) does not meet the requirements of applicable state or federal law the Department of Insurance is authorized to enforce;

(2) contains provisions which are unfair, deceptive, ambiguous, misleading, or unfairly discriminatory; or

(3) is solicited by means of advertising, communication, or dissemination of information which is deceptive or misleading.

However, this subsection does not apply to surety contracts or fidelity bonds, except as required in Section 38-15-10, or to insurance contracts, riders, or endorsements prepared to meet special, unusual, peculiar, or extraordinary conditions applying to an individual risk or exempt commercial policies.

(C) At any time after having given written approval, and after an opportunity for a hearing for which at least thirty days’ written notice has been given, the director or his designee may withdraw approval, impose the penalties pursuant to Section 38-2-10 if the insurer continues

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use of the form after it has been ordered withdrawn, or both, if he finds that the form:

(1) does not meet the requirements of applicable state or federal law the Department of Insurance is authorized to enforce;

(2) contains provisions which are unfair, deceptive, ambiguous, misleading, or unfairly discriminatory; or

(3) is solicited by means of advertising, communication, or dissemination of information which is deceptive or misleading.”

SECTION 6. Section 38-71-90 of the 1976 Code is amended to read:

“Section 38-71-90. An insurer, health maintenance organization, or its officer or agent that issues or delivers to any person in this State any policy in wilful violation of any of the provisions of this chapter or any other applicable state or federal law governing the transaction of business of insurance the Department of Insurance is authorized to enforce is subject to the provisions of Section 38-2-10 for each offense.”

SECTION 7. Sections 38-51-20 and 38-51-30 of the 1976 Code is amended to read:

“Section 38-51-20. No person may act as an administrator in this State without first being licensed by the director or his designee.

Any person who acts as an administrator without a license is guilty of a misdemeanor and upon conviction must be fined not more than ten thousand dollars or imprisoned for not more than two years, or both, and is subject to revocation of any insurance licenses issued by the director or his designee.

Application for a license must be upon forms prescribed by the director or his designee and must be accompanied by an initial license fee of one hundred dollars, annual financial statements or reports for the two preceding calendar years, and any other documents that the director or his designee may require to ensure that the administrator meets the requirements for licensure set forth in this section. Thereafter, the administrator shall pay to the department a license renewal fee of one hundred dollars by March first of each year.

Before granting any license, the director or his designee must be satisfied that the administrator is competent, trustworthy, financially responsible, has a good personal and business reputation, has not had an insurance license revoked, suspended, or denied in any jurisdiction within the preceding five years, and has not been convicted of a crime involving fraud, dishonesty, or moral turpitude in any jurisdiction. For purposes of this section, ‘convicted’ includes a plea of guilty or a plea of nolo contendere.

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The director or his designee may revoke or suspend any license issued to an administrator when he finds that any condition exists which would have prohibited issuance of the original license, that the administrator has violated any provision of this chapter, or that the administrator has deceived or dealt unjustly with the citizens of this State. In lieu of revocation or suspension of license, the director or his designee may impose an administrative monetary penalty not to exceed one thousand dollars for each offense.

Section 38-51-30. Every administrator shall file and maintain with the department a surety bond in favor of the state executed by a surety company authorized to transact business in this State. In lieu of bond, the administrator may file with the department letters of credit, certificates of deposit of building and loan associations or federal savings and loan associations located within the state in which deposits are guaranteed by the Federal Savings and Loan Insurance Corporation, not to exceed the amount of insurance, or of banks located within the state in which deposits are guaranteed by the Federal Deposit Insurance Corporation, not to exceed the amount covered by insurance or any other financial instrument that the director or his designee deems appropriate. The director or his designee may also in his sole discretion accept in lieu of a bond or certificates of deposit or letter of credit a corporate guaranty by an insurer licensed to transact business in this State. The corporate guaranty must meet any requirements the director or his designee requires. The director or his designee may withdraw his acceptance of a corporate guaranty in lieu of bonds or certificates of deposit at any time. The amount of the bond, certificates of deposit, corporate guaranty letter of credit, or any other instrument the director or his designee deems appropriate, filed with the department must be in the amount of seventy-five thousand dollars for initial applicants. Upon renewal, the applicant shall submit a surety bond in an amount that represents ten percent of the total premiums handled or managed in South Carolina for the previous calendar year. The amount of the surety bond for renewal applications must not be less than seventy-five thousand dollars and may not exceed five hundred thousand dollars. All bonds must include a provision requiring a thirty day advance notification of cancellation to the department. The bond must be on a form approved by the director or his designee. Any of the above-described financial instruments must be conditioned to pay any person who sustains a loss as a result of: (a) the administrator's violation of or failure to comply with any requirement of this chapter; (b) the administrator's failure to transmit properly any payment received by it for transmission to an insurer or other person; (c)

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the administrator's misapplication or misappropriation of funds received by it; or (d) any act of fraud or dishonesty committed by the administrator in the administration of an insurance benefit plan. Any aggrieved person may institute an action in the county of his residence against the administrator or his surety, or both, to recover on the bond or to recover from the certificates of deposit or corporate guaranty or letters of credit. Nothing in this section may be construed to prohibit agreements between administrators and insurers providing for additional bonds. The director or his designee may waive the bonding requirements of this section in whole or in part to the extent that funds handled by the administrator are handled on behalf of a licensed insurance company, if the administrator has furnished a bond or other security to the insurance company which meets the purposes of this section. Under no circumstances may the director or his designee waive the bonding requirements of this section with respect to funds handled by the administrator on behalf of self-insured persons, groups, or entities."

SECTION 8. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.

Amend title to conform.

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

Rep. SPIRES explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Bryant
Burns	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard

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Douglas	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Hamilton	Hardee	Hart
Hayes	Henderson	Henderson-Myers
Henegan	Hewitt	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mack	Martin
McCoy	McCrary	McEachern
McGinnis	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pitts	Pope
Ridgeway	S. Rivers	Robinson-Simpson
Rutherford	Sandifer	Simrill
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole
Trantham	Weeks	West
Wheeler	White	Whitmire
Williams	Willis	Young
Yow		

**Total--106**

Those who voted in the negative are:

**Total--0**

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

**H. 4675--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4675 -- Reps. Sandifer and Spires: A BILL TO AMEND ARTICLE 1, CHAPTER 90, TITLE 38, CODE OF LAWS OF SOUTH

[HJ]



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CAROLINA, 1976, RELATING TO CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE REFERENCES TO CAPTIVE REINSURANCE COMPANIES, TO REQUIRE A CAPTIVE INSURANCE COMPANY TO POSSESS AND MAINTAIN FREE AND UNIMPAIRED PAID-IN CAPITAL, SURPLUS, OR A COMBINATION THEREOF AND ESTABLISH REQUIREMENTS, TO DELETE CERTAIN SURPLUS REFERENCES AND INCORPORATION REQUIREMENTS, TO PROVIDE THE PROVISIONS OF CHAPTER 90 APPLY TO CAPTIVE INSURANCE COMPANIES FORMED AS A MUTUAL INSURER, TO ESTABLISH REPORTING REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES AND REMOVE CERTAIN PROVISIONS, TO ALLOW A CAPTIVE INSURANCE COMPANY TO DISCOUNT ITS LOSS AND LOSS ADJUSTMENT WITH APPROVAL BY THE DIRECTOR, TO ESTABLISH OVERSIGHT REQUIREMENTS FOR RISK RETENTION GROUPS AND CAPTIVE INSURANCE COMPANIES, TO ALLOW FOR CERTAIN CAPTIVE INSURANCE COMPANIES TO MAKE LOANS TO ITS PARENT COMPANY AND AFFILIATES WITH APPROVAL BY THE DIRECTOR, TO ESTABLISH STANDARDS FOR AGGREGATE TAXES FOR PROTECTED CELLS, TO ALLOW THE DIRECTOR TO REDUCE CAPITAL REQUIREMENTS FOR AN INACTIVE CAPTIVE INSURANCE COMPANY, TO REMOVE CERTAIN ASSET REQUIREMENTS, AND TO ALTER PARTICIPANT REQUIREMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; AND TO REPEAL ARTICLE 5, CHAPTER 90, TITLE 38 RELATING TO THE COASTAL CAPTIVE INSURANCE COMPANY ACT.

Rep. SPIRES explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Burns
Caskey	Clary	Cobb-Hunter

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Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliard	Hamilton
Hardee	Hart	Hayes
Henderson	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Loftis
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCray
McEachern	McGinnis	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pitts	Pope
Ridgeway	S. Rivers	Robinson-Simpson
Sandifer	Simrill	G. R. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole
Trantham	Weeks	West
Wheeler	White	Whitmire
Williams	Willis	Young
Yow		

**Total--103**

Those who voted in the negative are:

**Total--0**

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

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**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 4675. If I had been present, I would have voted in favor of the Bill.

Rep. Patsy Knight

**S. 885--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 885 -- Senator Cromer: A BILL TO AMEND SECTION 7-7-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN NEWBERRY COUNTY, SO AS TO ELIMINATE THE PROSPERITY PRECINCT, TO ADD THE PROSPERITY CITY PRECINCT AND THE PROSPERITY OUTSIDE PRECINCT, AND TO REDESIGNATE 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 105; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brawley
Bryant	Burns	Clary
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hardee
Hart	Hayes	Henderson
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Huggins	Jefferson	Johnson

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Jordan	King	Kirby
Knight	Loftis	Long
Lowe	Mace	Magnuson
Martin	McCoy	McCray
McEachern	McGinnis	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Parks	Pendarvis	Pitts
Pope	Ridgeway	S. Rivers
Robinson-Simpson	Rutherford	Sandifer
Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	Trantham
Weeks	West	Wheeler
White	Whitmire	Williams
Willis	Young	Yow

**Total--105**

Those who voted in the negative are:

**Total--0**

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

**H. 4272--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4272 -- Reps. Spires and Forrest: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

Rep. HUGGINS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 81; Nays 1

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Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Bales
Ballentine	Bannister	Bernstein
Blackwell	Bowers	Bradley
Brawley	Caskey	Clyburn
Cobb-Hunter	Cogswell	Cole
Crosby	Daning	Davis
Delleney	Dillard	Duckworth
Finlay	Forrest	Forrester
Fry	Gagnon	Gilliard
Hamilton	Hardee	Hart
Hayes	Henderson	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Huggins
Jefferson	Johnson	King
Kirby	Knight	Lowe
Lucas	Mack	Martin
McCoy	McEachern	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Pitts	Ridgeway	S. Rivers
Robinson-Simpson	Sandifer	G. R. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Thigpen
Toole	Trantham	Weeks
West	White	Whitmire
Williams	Willis	Young

**Total--81**

Those who voted in the negative are:

Long

**Total--1**

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

**LEAVE OF ABSENCE**

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

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**LEAVE OF ABSENCE**

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

**RECURRENCE TO THE MORNING HOUR**

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

**H. 4077--POINT OF ORDER**

The following Bill was taken up:

H. 4077 -- Reps. G. R. Smith, Erickson, J. E. Smith, McKnight, McCoy, Norrell, Kirby, Bales, McEachern, Gilliard, Loftis, Burns, Allison, Douglas, McCravy, Hamilton, Fry, Henderson, Elliott, W. Newton, Martin, V. S. Moss, Long, Robinson-Simpson, West, Collins, Bradley, Arrington, Bedingfield, Putnam, Johnson, Bowers, Anthony, Bannister, Bennett, Blackwell, Clary, Crawford, Daning, Delleney, Forrest, Forrester, Herbkersman, Hixon, Jordan, Lucas, Magnuson, Murphy, B. Newton, S. Rivers, Sandifer, Sottile, Stringer, Taylor, Tallon, Thayer, White, Whitmire, Willis, Hiott and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3780 SO AS TO PROVIDE DEFINITIONS, TO ALLOW FOR AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO THE EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND AND FOR TUITION PAYMENTS MADE TO AN ELIGIBLE SCHOOL FOR AN EXCEPTIONAL NEEDS CHILD WITHIN THE TAXPAYER'S CUSTODY OR CARE, TO PROVIDE FOR ANNUAL LIMITS ON INCOME TAX CREDITS AVAILABLE, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO CREATE THE "EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND", TO PROVIDE FOR GOVERNANCE AND ADMINISTRATION OF THE FUND, TO PROVIDE FOR THE MANNER IN WHICH GRANTS ARE AWARDED, AND TO PROVIDE THAT THE EDUCATION OVERSIGHT COMMITTEE IS RESPONSIBLE FOR DETERMINING WHICH SCHOOLS ARE ELIGIBLE.

**POINT OF ORDER**

Rep. COBB-HUNTER made the Point of Order that the Bill was improperly before the House for consideration since its number and title

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have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 4727--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4727 -- Reps. White, Hardee, Yow, Huggins, Jefferson, Hosey, Anderson, West, Hewitt, Finlay, Ott, Duckworth, Sandifer, Davis, Clary, B. Newton, J. E. Smith, Rutherford, Bernstein, W. Newton, Herbkersman, McCoy, Lowe, Elliott and S. Rivers: A BILL 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.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 4727 (COUNCIL\CZ\4727C004.DKA.CZ18), which was adopted:

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Amend the bill, as and if amended, SECTION 1, beginning on page 2, by striking Section 48-59-40(A) and (B) and inserting:

/ “(A) There is established the South Carolina Conservation Bank. The bank is governed by a ~~fourteen-member~~ fifteen-member board selected as follows:

(1) the ~~Chairman of the Board for~~ Director of the Department of Natural Resources, the ~~Chairman~~ Director of the South Carolina Forestry Commission, and the Director of the South Carolina Department of Parks, Recreation and Tourism, ~~all of whom shall serve ex officio and without voting privileges~~ the Commissioner of Agriculture, and the Secretary of Commerce, or their designee;

(2) ~~three~~ two members appointed by the Governor from the State at large;

(3) four members appointed by the Speaker of the House of Representatives, one each from the Third, ~~Fourth, and Sixth~~ First, Fifth, and Seventh Congressional Districts ~~and one member from the State at large;~~ and

(4) four members appointed by the President *Pro Tempore* of the Senate, one each from the ~~First, Second, Fifth, and Seventh~~ Fourth, and Sixth Congressional Districts ~~and one member from the State at large.~~

(B) Terms of board members are for four years and until their successors are appointed and qualify, except that the initial terms of each appointing official’s appointees must be staggered with the initial term noted on the appointment. Regardless of the date of appointment, all terms expire on July first of the applicable year. Vacancies must be filled in the manner of original appointments for the unexpired portion of the term. Members shall serve without compensation, but may receive the mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions. The board shall elect a chairman and other officers as necessary from its membership. The members from the Department of Natural Resources, the Forestry Commission, the Department of Parks, Recreation and Tourism, the Department of Agriculture, and the Department of Commerce may not serve as chairman.” /

Amend further, SECTION 3, beginning on page 8, by striking Section 48-59-70(L) and inserting:

/ (L)(~~1~~) ~~The board may authorize up to ten percent of the monies credited to the trust fund during the preceding fiscal year to acquire interests in land that solely or primarily meet the criteria of subsection (D)(6) of this section. No other monies in the trust fund may be awarded~~



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~~to applicants for the acquisition of interests in land that meet the criteria of subsection (D)(6) unless the application also satisfies other criteria contained in subsection (D) in a substantial way.~~

~~(2) The board shall authorize at least ten percent of the monies credited to the trust fund during the preceding fiscal year for the acquisition of interests in land that provides public access. To the extent the ten percent authorization required by this item is not met in any particular year, the balance must be carried over and used for acquisition of interests in land that provide public access in ensuing years. The board may not authorize the purchase of a conservation easement for more than one million dollars unless the transaction is approved by the State Fiscal Accountability Authority. /~~

Amend further by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Section 48-59-110 of the 1976 Code is amended to read:

“Section 48-59-110. (A) Trust funds may be used only by eligible trust fund recipients for the acquisition of interests in land, including closing costs. Trust funds may not be used to pay general operating expenses of eligible trust fund recipients, nor may trust funds be used for the management or maintenance of acquired interests in land. Trust funds only may be dispersed at the closing of transactions in which an interest in land is acquired.

(B) The board, in its discretion, may award additional grant funds to the South Carolina Department of Natural Resources, the South Carolina Department of Parks, Recreation and Tourism or the South Carolina Forestry Commission for the acquisition of fee simple title to land to which the public will have full access. The additional funds must be used only for the purpose of improving public access. The state agency receiving the funds shall include with its grant application a request for the additional funds and a detailed description of how the additional funds, if awarded, would be used. If additional funds are awarded by the board, the state agency receiving the funds shall submit a report to the board every six months after the award has been made describing in detail how the funds have been used and continue to submit a report until the funds are fully utilized. If the additional funds have not been utilized two years after receipt, the remaining balance must be refunded to the trust fund.” /

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Amend further by striking SECTION 4 and inserting:  
/ SECTION 4. Sections 12-24-95 and 48-59-75 of the 1976 Code  
are repealed. /

Renumber sections to conform.  
Amend title to conform.

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

Rep. LOWE explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:  
Yeas 107; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brawley
Bryant	Burns	Caskey
Clary	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Duckworth	Elliott	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Lowe	Lucas
Mace	Mack	Martin
McCoy	McCrary	McEachern
McGinnis	McKnight	D. C. Moss

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V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pope	Putnam
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Rutherford	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Willis
Young	Yow	

**Total--107**

Those who voted in the negative are:

Hill	Long	Magnuson
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**Total--3**

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

**H. 4397--POINT OF ORDER**

The Senate Amendments to the following Bill were taken up for consideration:

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 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.

**POINT OF ORDER**

Rep. GOVAN made the Point of Order that the Senate Amendments were improperly before the House for consideration since its number and

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title have not been printed in the House Calendar at least one statewide legislative day prior to such reading.

The SPEAKER sustained the Point of Order.

**MOTION PERIOD**

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

**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, 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 Thursday, February 15, 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-

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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. RUTHERFORD moved to adjourn debate on the Bill until Thursday, February 15, which was agreed to.

**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 Thursday, February 15, 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

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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.

Rep. FRY moved to adjourn debate on the Bill until Thursday, February 15, which was agreed to.

**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, Henderson, Henderson-Myers and Williams: A BILL TO AMEND SECTION 58-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, 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

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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 Thursday, February 15, 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, McEachern, Clary, Tallon, Brown, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Daning, Govan, Weeks, Henderson and Henderson-Myers: 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 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 Thursday, February 15, 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,

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Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Robinson-Simpson, V. S. Moss, Bennett, Arrington, Daning, Govan, Weeks, Henderson and Henderson-Myers: 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 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 Thursday, February 15, which was agreed to.



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**H. 4729--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4729 -- Reps. Delleney, Yow, McCravy, Finlay, Spires, Loftis, G. R. Smith, Norrell, Funderburk, Huggins, Magnuson, Hewitt, Cobb-Hunter, Jordan, Clary, Johnson, Bennett, Martin, Bernstein, W. Newton, Fry, G. M. Smith, Caskey, Long, Burns, Chumley, Bannister, Trantham, Bryant, Duckworth, Elliott, Forrest, Hayes, Henderson, Henegan, Herbkersman, Hiott, McCoy, D. C. Moss, Pitts, Pope, Simrill, J. E. Smith, Tallon, Toole, Wheeler, White, Willis and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-6-141 SO AS TO PROHIBIT THE DEPARTMENT OF REVENUE FROM ISSUING MORE THAN THREE RETAIL DEALER LICENSES TO ONE LICENSEE; BY ADDING SECTION 61-6-151 SO AS TO PROHIBIT A LICENSEE FROM HAVING AN INTEREST IN A RETAIL LIQUOR STORE OTHER THAN THE THREE STORES COVERED BY HIS RETAIL DEALER'S LICENSE; AND TO AMEND SECTION 61-6-1636, RELATING TO THE SALE OF ALCOHOLIC LIQUOR BY THE DRINK, SO AS TO ALLOW A LICENSED WHOLESALER TO DELIVER NEW ALCOHOLIC LIQUOR TO A PERSON LICENSED TO SELL ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION UNDER CERTAIN CIRCUMSTANCES.

Rep. RUTHERFORD proposed the following Amendment No. 1 to H. 4729 (COUNCIL\CZ\4729C001.DKA.CZ18), which was tabled:

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

/ SECTION . Section 61-6-4160 of the 1976 Code is amended to read:

“Section 61-6-4160. (A) It is unlawful to sell alcoholic liquors ~~on Sunday except as authorized by law~~, on Christmas Day, or during periods proclaimed by the Governor in the interest of law and order or public morals and decorum. Full authority to proclaim these periods is conferred upon the Governor in addition to all his other powers. It is unlawful for a retail dealer to sell alcoholic liquors on Sunday except as authorized and provided for in subsections (B) and (C).

(B) The Department of Revenue may issue a permit to allow the sale of alcoholic liquors on Sunday by a licensed retail dealer in a county or municipality that authorizes the sale of alcoholic liquors on Sunday in the manner provided in subsection (C). The department shall charge a

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nonrefundable filing fee of one hundred dollars for processing each application. The department shall charge for an annual fifty-two week permit a nonrefundable fee of three thousand dollars per year. However, the fifty-two week permit must not extend beyond the expiration date of the biennial license issued pursuant to this chapter. If the expiration date is less than fifty-two weeks from the date of the application for the fifty-two week permit, the department shall prorate the three thousand dollar fee on a monthly basis. The department in its sole discretion shall specify the terms and conditions of the permit. The filing and permit fees must be distributed by the State Treasurer to the municipality or county in which the retailer who paid the fee is located.

(C)(1) A permit authorized by this section may be issued only in those counties or municipalities where a majority of the qualified electors voting in a referendum vote in favor of the issuance of the permit. The county or municipal election commission, as the case may be, shall conduct a referendum upon petition of at least ten percent but not more than seven thousand five hundred qualified electors of the county or municipality, as the case may be. The petition form must be submitted to the election commission not less than one hundred twenty days before the date of the referendum. The names on the petition must be on the petition form provided to county election officials by the State Election Commission. The names on the petition must be certified by the election commission within sixty days after receiving the petition form. The referendum must be conducted at the next general election. The election commission shall cause a notice to be published in a newspaper circulated in the county or municipality, as the case may be, at least seven days before the referendum. The state election laws must apply to the referendum, mutatis mutandis. The election commission shall publish the results of the referendum and certify them to the South Carolina Department of Revenue. The question on the ballot must be:

'Shall the South Carolina Department of Revenue be authorized to issue permits to licensed retail dealers in this (county) (municipality) to allow for the sale of alcoholic liquors on Sunday in compliance with the provisions of the Alcoholic Beverage Control Act?'

(2) A referendum for this purpose may not be held more often than once in forty-eight months.

(3) The expenses for this purpose must be paid by the county or municipality conducting the referendum.

(4) In addition to the petition method of calling the referendum provided for in this subsection, a county or municipal governing body by ordinance also may call the referendum. Upon receipt of a copy of

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the ordinance filed with the county or municipal election commission at least sixty days before the date of the next general election, the commission shall conduct the referendum in the manner provided in this section at that general election. The provisions of this item are in addition to the authority of a municipal governing body to call for a referendum under the circumstances enumerated in subsection (C)(1).

(D)(1) The municipal governing body may order a referendum on the question of the issuance of permits to allow the sale of alcoholic liquors in the following circumstances:

(a) parts of the municipality are located in more than one county;

(b) as a result of a favorable vote in a county referendum held pursuant to this section, permits may be issued in only the parts of the municipality located in that county; and

(c) the proposed referendum would authorize issuance of permits in the remaining parts of the municipality.

(2) The method of ordering a referendum provided in this subsection is in addition to the petition method provided in subsection (C). An unfavorable vote in a municipal referendum does not affect the authority to issue these permits in the part of the municipality located in a county where these permits may be issued.

(3) Upon receipt of a copy of the ordinance filed with the municipal election commission at least sixty days before the date of the general election, the commission shall conduct the referendum at the time of the general election and publish and certify its results in the same manner as provided in subsection (C).

(E) Permits issued by the Department of Revenue pursuant to this section may be issued in all parts of a municipality if any part of the municipality is located in a county where the issuance of these permits is allowed.

(F)(1) For purposes of referendums held pursuant to this section, 'general election' means a:

(a) municipal general election held at a time other than the first Tuesday following the first Monday in November of even-numbered years; or

(b) county general election held on the first Tuesday following the first Monday in November of even-numbered years.

(2) A municipality that does not have a municipal general election scheduled within the same calendar year as a county general election may call, by ordinance, for a referendum to be held on the same date as the county general election, provided that a copy of the ordinance

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has been filed with the county and municipal election commissions no later than the date required by Section 7-13-355. The expenses for a referendum ordered by a municipality must be paid by the municipality. When a municipal referendum is held at the time of a county general election, the referendum may be conducted by the municipal or county election commission as provided for by an agreement between the municipality and county.

(G) A person who violates a provision of this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

~~(a)~~(1) for a first offense, by a fine of two hundred dollars or imprisonment for sixty days;

~~(b)~~(2) for a second offense, by a fine of one thousand dollars or imprisonment for one year; and

~~(c)~~(3) for a third or subsequent offense, by a fine of two thousand dollars or imprisonment for two years.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. DELLENEY moved to table the amendment.

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

Yeas 72; Nays 31

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atwater	Bales	Ballentine
Bannister	Bennett	Bradley
Bryant	Burns	Chumley
Clary	Cole	Crawford
Crosby	Daning	Davis
Delleney	Duckworth	Elliott
Erickson	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Hayes	Henderson
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Johnson	Jordan	Kirby
Knight	Loftis	Long

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Lowe	Lucas	Martin
McCoy	McCravy	McEachern
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Norrell	Ott
Pope	Putnam	Ridgeway
S. Rivers	Sandifer	Simrill
G. R. Smith	Sottile	Spires
Tallon	Thayer	Toole
West	Wheeler	White
Whitmire	Willis	Yow

**Total--72**

Those who voted in the negative are:

Alexander	Atkinson	Bernstein
Blackwell	Brawley	Cobb-Hunter
Cogswell	Collins	Dillard
Gilliard	Govan	Hart
Henderson-Myers	Hill	Hosey
King	Mace	Mack
McGinnis	McKnight	Pendarvis
M. Rivers	Robinson-Simpson	Rutherford
J. E. Smith	Stavrinakis	Thigpen
Trantham	Weeks	Williams
Young		

**Total--31**

So, the amendment was tabled.

***SPEAKER PRO TEMPORE IN CHAIR***

Rep. OTT proposed the following Amendment No. 2 to H. 4729 (COUNCIL\SD\4729C001.NL.SD18), which was tabled:

Amend the bill, as and if amended, by striking SECTION 4.  
Re-number sections to conform.  
Amend title to conform.

Rep. OTT explained the amendment.

Rep. OTT spoke in favor of the amendment.

[HJ]

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

Rep. BANNISTER proposed the following Amendment No. 3 to H. 4729 (COUNCIL\SD\4729C002.NL.SD18), which was tabled:

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

/ SECTION 1. A. Section 61-2-140(B) of the 1976 Code is amended to read:

“(B) Except as provided in Section 61-6-125, licenses and permits are the property of the department and are not transferable. Licenses and permits must be surrendered immediately to the department upon the termination of a business, upon a change of ownership, possession, or control of a corporation or business entity, or upon a change in the character of the property, facilities, or nature of the business activity for which a license or permit has been issued. The transfer of twenty-five percent or more of corporate stock is considered a change in ownership.”

B. The provisions of this section take effect January 1, 2025.

SECTION 2. A. Subarticle 1, Article 3, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-115. (A) Upon the effective date of this section, the number of retail dealer licenses issued in a county shall not exceed the ratio of one license for every five thousand residents. The department shall not issue an additional retail dealer license in a county that has reached or exceeded a ratio of one license for every five thousand residents. This limitation upon the number of licenses does not apply to existing licenses or to the renewal or transfer of these licenses. All such licenses are exempt from the provisions of this section as long as the businesses are in continuous operation. The initial population figures used in this computation must be the 2020 United States Decennial Census figures.

(B) The department shall issue an additional retail dealer license in a county: (1) pursuant to licenses authorized under the transfer provisions of Section 61-6-125; or (2) pursuant to an increase in population based on annual estimates published by the Revenue and Fiscal Affairs Office. The department shall review the number of retail dealer licenses for each county at the beginning of each fiscal year and publish results no later than August first of the fiscal year.”

B. The provisions of this section take effect January 1, 2025.

SECTION 3. A. Subarticle 1, Article 3, Chapter 6, Title 61 of the 1976 Code is amended by adding:

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“Section 61-6-125. When a licensee has made a bona fide sale of the business which holds a retail dealer license, he may obtain a transfer of such license to the purchaser of the business, provided the purchaser and his proposed location are approved by the department in accordance with procedures required of a new applicant and the proposed location is in the same county. If the transferee and his proposed location are approved by the department, the transferee shall pay a transfer fee of five thousand dollars to the department. This fee is in addition to filing fees and license fees required of all applicants.

A change in ownership of twenty-five percent or more is considered a transfer and subject to the transfer fee.

The department shall waive the transfer fee, but not the filing fee or license fee, when the transfer of interest occurs by operation of law because of death, judicial proceedings, court appointment of a fiduciary, foreclosed or forced judicial sale, or bankruptcy proceedings.”

B. The provisions of this section take effect January 1, 2025.

SECTION 4. A. Section 61-6-4280 of the 1976 Code is amended to read:

“Section 61-6-4280. Except as provided in Section 61-6-125, licenses and permits are the property of the department, are not transferable, and, upon the termination of a business or upon a change of ownership, possession, or control, or upon a substantial change in the character of the property or facilities or nature of business for which a license or permit has been issued, must be surrendered immediately to the department.

When a person or business has multiple licenses or permits for locations within three hundred feet of each other, administrative penalties may be applied to all the licenses and permits.”

B. The provisions of this section take effect January 1, 2025.

SECTION 5. Subarticle 1, Article 3, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-135. (A) Upon the effective date of this section, no licensee may hold more than five percent of the total number of retail dealer licenses issued by the Department.

(B) Upon the effective date of this section, no licensee may hold more than three retail dealer licenses in any one county.”

SECTION 6. Section 61-6-140 of the 1976 Code is amended to read:

“Section 61-6-140. To promote adequate law enforcement, regulatory measures, health care costs, and associated impacts on the health, safety, and welfare of the state’s residents resulting from the anticipated sales of liquor, and to curb relationships and practices

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calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance, in determining whether a political subdivision is adequately served pursuant to Section 61-6-170, and to provide for an orderly provision of retail dealer licenses, the issuance of retail dealer licenses must be governed pursuant to the following requirements:

(1) The department shall ~~not~~ issue no more than three retail dealer licenses to one licensee until December 31, 2018, no more than five licenses from January 1, 2019 until December 31, 2019, no more than seven licenses from January 1, 2020 until December 31, 2020, and no more than nine licenses from January 1, 2021 until December 31, 2024, and the licensee must be eligible for a license for each store pursuant to Section 61-6-110.

(2) The limitation of ~~no more than three retail~~ on the number of retail dealer licenses to one licensee does not apply to a person having an interest in retail liquor stores as of July 1, 1978.

(3) The General Assembly finds that the issuance of multiple retail dealer licenses pursuant to this section should exist only for a time certain to serve and promote the policies set forth in this section. It is the intent of the General Assembly to provide for a sunset provision on the limitation of ~~three~~ on the number of retail dealer licenses held by one licensee as enacted by this section. The provisions of this section are therefor repealed on ~~April 5, 2018~~ January 1, 2025."

SECTION 7. Section 61-6-150 of the 1976 Code is amended to read:

"Section 61-6-150. No person, directly or indirectly, individually or as a member of a partnership or an association, as a member or stockholder of a corporation, or as a relative to a person by blood or marriage within the second degree, may have any interest whatsoever in a retail liquor store licensed under this section except ~~the three~~ for those number of stores covered by his retail dealer's licenses, as provided for in Section 61-6-140. The prohibitions in this section do not apply to a person having an interest in retail liquor stores on July 1, 1978. It is the intent of the General Assembly to provide for a sunset provision on the limitation of ~~three~~ on the number of retail dealer licenses held by one licensee as enacted by this section. The provisions of this section are therefor repealed on ~~April 5, 2018~~ January 1, 2025."

SECTION 8. Sections 61-6-130, 61-6-140, 61-6-150, and 61-6-170 of the 1976 Code are repealed on January 1, 2025.

SECTION 9. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.

Amend title to conform.



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Rep. BANNISTER explained the amendment.

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

Rep. MCKNIGHT spoke in favor of the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 1

Those who voted in the affirmative are:

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

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

**Total--106**

Those who voted in the negative are:

Hill

**Total--1**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 4729. If I had been present, I would have voted in favor of the Bill.

Rep. Gary E. Clary

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 4729. If I had been present, I would have voted in favor of the Bill.

Rep. Kevin Hardee

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

[HJ]

**WEDNESDAY, FEBRUARY 14, 2018**

**H. 4478--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4478 -- Reps. Tallon, Hixon and W. Newton: A BILL TO AMEND SECTION 23-23-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, SO AS TO AUTHORIZE ITS DIRECTOR TO DETERMINE THE LOCATION OF A TRAINING FACILITY.

Rep. WEEKS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Bryant
Burns	Caskey	Chumley
Clary	Cogswell	Cole
Collins	Crawford	Davis
Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Knight	Long
Lowe	Lucas	Mace
Magnuson	Martin	McCoy
McCravy	McEachern	McGinnis
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pendarvis

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

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**H. 3195--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3195 -- Reps. King, Ridgeway, Anderson, Brown, Pendarvis and Gilliard: A BILL TO AMEND SECTION 53-3-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF THE NINETEENTH DAY OF JUNE OF EACH YEAR AS "JUNETEENTH CELEBRATION OF FREEDOM DAY", SO AS TO PROVIDE THAT IT ALSO IS RECOGNIZED AS "SICKLE CELL DAY IN SOUTH CAROLINA" IN COMMEMORATION OF "WORLD SICKLE CELL DAY".

Rep. ALLISON moved to adjourn debate on the Bill until Wednesday, February 21.

Rep. ATWATER moved to table the motion, which was not agreed to.

The question then recurred to the motion to adjourn debate until Wednesday, February 21, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

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

[HJ]

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**SPEAKER IN CHAIR**

**REPORTS OF STANDING COMMITTEES**

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3294 -- Reps. Willis, Allison, Long and Felder: A BILL TO AMEND SECTION 56-10-245, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PER DIEM FINE ASSESSED BY THE DEPARTMENT OF MOTOR VEHICLES UPON A PERSON WHOSE MOTOR VEHICLE LIABILITY INSURANCE HAS LAPSED, SO AS TO PROVIDE THAT THIS FINE SHALL NOT BE ASSESSED AGAINST A PERSON WHOSE INSURANCE HAS LAPSED DUE TO HIS INCARCERATION.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 4618 -- Reps. Willis, Elliott and Allison: A BILL TO AMEND SECTION 56-3-2320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND USE OF DEALER AND WHOLESALE LICENSE PLATES, SO AS TO REDUCE THE MINIMUM NUMBER OF MOTOR VEHICLE SALES A DEALER MUST MAKE BEFORE HE MAY BE ISSUED A DEALER PLATE AND THE NUMBER OF MOTOR VEHICLES HE MUST SELL BEFORE HE MAY BE ISSUED ADDITIONAL DEALER PLATES, AND TO REDUCE THE NUMBER OF MOTOR VEHICLES THAT MUST BE SOLD BY A DEALER PARTICIPATING IN A MANUFACTURER PROGRAM TO OBTAIN ADDITIONAL PLATES.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 4672 -- Reps. Elliott, B. Newton, Allison, Felder, Bryant, Putnam, Martin, Arrington, Thigpen, Gagnon, Thayer, Douglas, Govan, Anderson, McGinnis, Huggins, Tallon, Daning, D. C. Moss, Long, Henderson, Mace, Cogswell, West, Chumley, Gilliard, Atwater, J. E. Smith, Bernstein, Jefferson, Williams and W. Newton: A BILL TO

[HJ]

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AMEND SECTION 56-1-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VISION SCREENING REQUIRED FOR ISSUANCE OF A DRIVER'S LICENSE, SO AS TO PROVIDE THAT VISION SCREENING IS REQUIRED UPON RENEWAL OF A LICENSE, AND TO PROVIDE THAT A CERTIFICATE OF VISION EXAMINATION FORM MUST BE EXECUTED BY THE CERTIFYING OPHTHALMOLOGIST OR OPTOMETRIST.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 4682 -- Rep. Willis: A BILL TO AMEND SECTION 56-9-540, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF PROVIDING PROOF OF FINANCIAL RESPONSIBILITY, SO AS TO DELETE THE FILING OF A BOND AND THE FILING OF A CERTIFICATE OF DEPOSIT OF MONEY OR SECURITIES AS METHODS OF ESTABLISHING PROOF OF FINANCIAL RESPONSIBILITY; AND TO REPEAL SECTIONS 56-9-570 AND 56-9-580 BOTH RELATING TO ESTABLISHING PROOF OF FINANCIAL RESPONSIBILITY BY THE FILING OF A BOND OR A CERTIFICATE OF DEPOSIT OF MONEY OR SECURITIES.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 4676 -- Rep. Collins: A BILL TO AMEND SECTIONS 56-1-50, AS AMENDED, 56-1-125, 56-1-175, AS AMENDED, AND 56-1-180, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A BEGINNER'S PERMIT, A CONDITIONAL DRIVER'S LICENSE, AND A SPECIAL RESTRICTED DRIVER'S LICENSE, AND THE REQUIREMENT THAT CERTAIN INDIVIDUALS MUST REGISTER WITH THE UNITED STATES SELECTIVE SERVICE, ALL SO AS TO REVISE CERTAIN TERMS.

Ordered for consideration tomorrow.

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Rep. S. RIVERS, from the Berkeley Delegation, submitted a favorable report on:

H. 4900 -- Rep. S. Rivers: A BILL TO AMEND SECTION 7-7-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Ordered for consideration tomorrow.

Rep. S. RIVERS, from the Charleston Delegation, submitted a favorable report on:

H. 4908 -- Reps. S. Rivers, Mack, Arrington, Bennett, Cogswell, Mace, Pendarvis and Sottile: A BILL TO AMEND SECTION 7-7-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHARLESTON COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

S. 6 -- Senators Bryant, Hembree, Campbell and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE THAT A PERSON WHO TORTURES, MUTILATES, INJURES, DISABLES, POISONS, OR KILLS A POLICE DOG OR HORSE MAY BE FINED UP TO TEN THOUSAND DOLLARS, MAY BE IMPRISONED FOR UP TO TEN YEARS, MUST PAY RESTITUTION TO COVER THE COST OF RESTORING OR REPLACING THE DOG OR HORSE INJURED OR KILLED, AND MAY BE REQUIRED TO COMPLETE UP TO FIVE HUNDRED HOURS OF COMMUNITY SERVICE FOR AN ANIMAL-RELATED ORGANIZATION OR FOUNDATION.

Ordered for consideration tomorrow.

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Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 4705 -- Reps. Bannister, Elliott, Arrington, Long, Chumley, B. Newton, Martin, Henderson-Myers, G. R. Smith, Trantham, Bryant, Hamilton, Hixon, S. Rivers, Stringer and Brawley: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATED REPORTERS OF CHILD ABUSE OR NEGLECT, SO AS TO ADD RELIGIOUS COUNSELORS AS MANDATED REPORTERS.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

H. 4475 -- Reps. Tallon, Hixon and W. Newton: A BILL TO AMEND SECTION 23-6-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF PUBLIC SAFETY AND ITS DIVISIONS, SO AS TO DELETE THE DIVISIONS ESTABLISHED PURSUANT TO THIS SECTION, AND TO DELETE THE PROVISION THAT TRANSFERRED THE RESPONSIBILITIES OF CERTAIN AGENCIES TO THE DEPARTMENT OF PUBLIC SAFETY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE DIVISIONS OUTLINED IN THIS CHAPTER, AND TO PROVIDE THAT THE DEPARTMENT SHALL MAINTAIN A LIST OF ITS DIVISIONS ON THE DEPARTMENT'S WEBSITE.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 4479 -- Reps. Tallon, Hixon and W. Newton: A BILL TO AMEND SECTION 23-23-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO APPOINT ATTORNEYS EMPLOYED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO SIT AS HEARING OFFICERS FOR CONTESTED CASE HEARINGS; AND BY ADDING SECTION



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23-23-150, SO AS TO PROVIDE THAT NO PERSON WHO HAS A PENDING ALLEGATION OF MISCONDUCT MAY BE EMPLOYED AS A LAW ENFORCEMENT OFFICER OR AS A TELECOMMUNICATIONS OPERATOR, MAY HAVE THE AUTHORITY OF A LAW ENFORCEMENT OFFICER, PERFORM ANY DUTIES OF A LAW ENFORCEMENT OFFICER, OR EXERCISE THE POWER OF ARREST UNTIL THE LAW ENFORCEMENT TRAINING COUNCIL OR AN APPELLATE COURT HAS ISSUED A DECISION AUTHORIZING THE PERSON TO BE EMPLOYED IN THOSE AREAS, TO PROVIDE THAT A PERSON AGAINST WHOM AN ALLEGATION OF MISCONDUCT HAS BEEN RECEIVED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY SHALL BE NOTIFIED BY CERTIFIED MAIL OF THE ALLEGATION OF MISCONDUCT AND HIS RIGHT TO A CONTESTED CASE HEARING, TO PROVIDE THAT A PERSON AGAINST WHOM AN ALLEGATION OF MISCONDUCT HAS BEEN RECEIVED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY MUST REQUEST A CONTESTED CASE HEARING WITHIN SIXTY DAYS AFTER RECEIPT OF THE ALLEGATION OF MISCONDUCT AND RIGHT TO A CONTESTED CASE HEARING, AND TO PROVIDE FOR THE PROCEDURES OF A CONTESTED CASE HEARING.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4915 -- Rep. Ridgeway: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SCOTT'S BRANCH HIGH SCHOOL BOYS TRACK AND FIELD TEAM OF CLARENDON COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Scott's Branch High School boys

[HJ]

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track and field team of Clarendon County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 South Carolina Class A State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4916 -- Reprs. Ridgeway, 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, 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 HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SCOTT'S BRANCH HIGH SCHOOL BOYS TRACK AND FIELD TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2017 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4917 -- Reprs. Ridgeway, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister,

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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, 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 HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE SCOTT'S BRANCH HIGH SCHOOL GIRLS TRACK AND FIELD TEAM, COACHES, AND SCHOOL OFFICIALS FOR A STELLAR SEASON AND TO CONGRATULATE THEM FOR GARNERING THE 2017 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4918 -- Rep. Ridgeway: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SCOTT'S BRANCH HIGH SCHOOL GIRLS TRACK AND FIELD TEAM OF CLARENDON COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Scott's Branch High School girls

[HJ]

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track and field team of Clarendon County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 South Carolina Class A State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4919 -- Rep. Allison: A HOUSE RESOLUTION TO HONOR AND COMMEND THE GREATER GREER CHAMBER OF COMMERCE ON THE OCCASION OF ITS EIGHTIETH ANNIVERSARY AND TO WISH THE ORGANIZATION MANY MORE YEARS OF SUCCESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4920 -- Reps. Gilliard, Mack, Pendarvis, 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, 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, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, 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 HOUSE RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF DR. CATHERINE MCKEE MCCOTTRY OF CHARLESTON COUNTY, TO HONOR HER REMARKABLE

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COMMITMENT TO THE FIELD OF MEDICINE, AND TO EXTEND DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4921 -- Reps. Robinson-Simpson, 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, 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 HOUSE RESOLUTION TO HONOR AND SALUTE THE ZETA PHI BETA SORORITY, INCORPORATED, FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4922 -- Reps. Robinson-Simpson, 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,

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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, 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 HOUSE RESOLUTION TO HONOR THE LEADERSHIP AND SERVICE OF FANNIE PETTIE WATTS, CO-FOUNDER OF ZETA PHI BETA SORORITY, INCORPORATED, AND FOUNDER SPECIFIC TO THE SOUTHEASTERN REGION OF THE SORORITY, WHICH INCLUDES THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4923 -- Rep. Atkinson: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LATTA HIGH SCHOOL VARSITY SOFTBALL TEAM OF DILLON COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Latta High School varsity softball team of Dillon County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being

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recognized and commended for capturing the 2017 South Carolina Class AA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4924 -- Reps. Atkinson, Alexander, Allison, Anderson, Anthony, Arrington, 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, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LATTA HIGH SCHOOL VARSITY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2017 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4925 -- Reps. Finlay, 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,

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Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, 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, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR AND COMMEND JEFF KEFALOS FOR AN EXEMPLARY CAREER AND TO WISH HIM CONTINUED SUCCESS IN HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4926 -- Reprs. Willis, Anthony, Pitts, Alexander, Allison, Anderson, 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, 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, Young and Yow: A HOUSE RESOLUTION TO SALUTE THE LAURENS COUNTY COMMUNITY THEATRE FOR PRESENTING QUALITY FAMILY



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ENTERTAINMENT IN THE CITY OF CLINTON FOR OVER THREE DECADES.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4927 -- Reps. Rutherford, White, Lucas, Simrill, King, Alexander, Anderson, Bamberg, Brawley, Brown, Cobb-Hunter, Clyburn, Dillard, Gilliard, Govan, Hart, Henderson-Myers, Henegan, Hosey, Howard, Jefferson, Mack, McEachern, McKnight, Parks, M. Rivers, Pendarvis, Robinson-Simpson, Thigpen, Weeks, Williams, Allison, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Hamilton, Hardee, Hayes, Henderson, Herbkersman, Hewitt, Hill, Hiott, Hixon, Huggins, Johnson, Jordan, Kirby, Knight, Loftis, Long, Lowe, Mace, Magnuson, Martin, McCoy, McCravy, McGinnis, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Pitts, Pope, Putnam, Ridgeway, S. Rivers, Sandifer, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Trantham, West, Wheeler, Whitmire, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR AND APPLAUD ANDERSON NATIVE CHADWICK BOSEMAN FOR HIS IMPRESSIVE PERFORMANCE AS THE TITLE ROLE IN "BLACK PANTHER" AND TO WISH HIM MUCH CONTINUED SUCCESS IN THE FUTURE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4928 -- Rep. Delleney: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 15, 2018, HOWEVER, THE

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CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

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

That the members of the South Carolina General Assembly, by this resolution, authorize Palmetto Boys State to use the chambers of the South Carolina House of Representatives and Senate for its annual State House meeting on Friday, June 15, 2018. However, the chambers may not be used if the General Assembly is in session or the chambers are otherwise unavailable.

Be it further resolved that the State House security forces shall provide assistance and access as necessary for this meeting in accordance with previous procedures.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4929 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EAST CHEVES STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH EAST PALMETTO STREET TO ITS INTERSECTION WITH SOUTH DARGAN STREET "JERRY M. KEITH BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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

**INTRODUCTION OF BILLS**

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

H. 4930 -- Reps. Bryant, Simrill, B. Newton, Martin, King, West, D. C. Moss, Felder, Brown, Tallon, Delleney, Forrest, Hixon, Pendarvis and Pope: A BILL TO AMEND SECTION 9-1-1790, AS AMENDED,

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CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO EXEMPT CERTIFIED EDUCATORS FROM THE EARNINGS LIMITATION; AND TO AMEND SECTION 9-11-90, AS AMENDED, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO DELETE THE EARNINGS LIMITATION.

Referred to Committee on Ways and Means

H. 4931 -- Reps. Elliott, Alexander and Simrill: A BILL TO AMEND SECTION 59-103-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSIONS AND FOCUSES OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE AN APPLIED BACCALAUREATE IN MANUFACTURING DEGREE IF STATE FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

Referred to Committee on Ways and Means

H. 4932 -- Reps. Elliott, Magnuson, Hamilton, Bennett, Arrington, Loftis, Burns and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3685 SO AS TO ALLOW AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP FUNDING ORGANIZATION THAT PROVIDES GRANTS FOR STUDENTS TO ATTEND CERTAIN INDEPENDENT AND HOME SCHOOLS, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO SPECIFY THE PROCESS BY WHICH CERTAIN ORGANIZATIONS AND SCHOOLS BECOME ELIGIBLE, TO SPECIFY CERTAIN INFORMATION WHICH MUST BE MADE PUBLIC, AND TO ALLOW THE DEPARTMENT OF REVENUE TO ENFORCE THE PROVISIONS OF THE CREDIT.

Referred to Committee on Ways and Means

H. 4933 -- Reps. Cole, Forrester, Allison and Tallon: A BILL TO AMEND SECTION 44-7-2060, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF A REGIONAL HEALTH SERVICES DISTRICT'S BOARD OF

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DIRECTORS, SO AS TO PROVIDE THAT THE STATE INTEREST SHALL PREVAIL IF A CONFLICT EXISTS BETWEEN THE ANTITRUST LAWS OF THE STATE OR THE UNITED STATES AND THE EXERCISE OF POWER BY A REGIONAL HEALTH SERVICES DISTRICT WITH RESPECT TO THE OWNERSHIP, OPERATION, MANAGEMENT, OR LEASE OF A HOSPITAL, HEALTH CARE FACILITY, OR OTHER EXERCISE OF POWER.

Referred to Committee on Judiciary

H. 4934 -- Reps. Bennett, Crawford, McCoy, Hewitt, West, Arrington, Gilliard, Davis, Hardee, Fry, Spires, Jefferson, Knight, Henegan, Atkinson, Crosby, Williams, Kirby, Hosey, Chumley, Burns, Robinson-Simpson, Martin, Young, Henderson-Myers, Magnuson, Allison, Brown, Elliott, Gagnon, Ridgeway, S. Rivers, Stavrinakis, Stringer and Taylor: A BILL TO AMEND SECTION 59-19-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS AND DUTIES OF PUBLIC SCHOOL DISTRICT BOARDS OF TRUSTEES, SO AS TO PROVIDE THESE BOARDS SHALL DIRECT THEIR SCHOOLS TO PROVIDE STUDENTS IN KINDERGARTEN THROUGH EIGHTH GRADE WITH TWO DAILY RECESS OR ACTIVITY PERIODS IN ADDITION TO THE TIME REQUIRED TO MEET EXISTING PHYSICAL EDUCATION STANDARDS, AND TO PROVIDE REQUIREMENTS FOR THESE RECESS PERIODS.

Referred to Committee on Education and Public Works

H. 4935 -- Reps. Felder, Douglas, Ridgeway and Bryant: A JOINT RESOLUTION TO CREATE THE "SOUTH CAROLINA PALLIATIVE CARE AND QUALITY OF LIFE STUDY COMMITTEE"; TO PROVIDE FOR THE PURPOSE, MEMBERSHIP, AND DUTIES OF THE STUDY COMMITTEE; AND FOR OTHER PURPOSES.

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

H. 4936 -- Reps. Pitts and McEachern: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-1172 SO AS TO ALLOW A SOUTH CAROLINA INCOME TAX DEDUCTION OF ALL MILITARY RETIREMENT INCOME AND FIRST RESPONDER RETIREMENT INCOME; AND TO AMEND SECTION 12-6-1170, RELATING TO THE

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RETIREMENT INCOME DEDUCTION, SO AS TO MAKE A CONFORMING CHANGE.

Referred to Committee on Ways and Means

Rep. ROBINSON-SIMPSON moved that the House do now adjourn, which was agreed to.

**ADJOURNMENT**

At 12:34 p.m. the House, in accordance with the motion of Rep. COBB-HUNTER, adjourned in memory of former Representative Reverend Doctor Kenneth Elvin Bailey, Sr., to meet at 10:00 a.m. tomorrow.

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