

NO. 21

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

THURSDAY, FEBRUARY 15, 2018
(STATEWIDE SESSION)

Thursday, February 15, 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 Isaiah 51:9: “Awake, awake, put on strength, O arm of the Lord.”

Let us pray. Almighty and merciful God, bless these Representatives and staff as they go about the duties of the day. Guide them to do what is required of them. Give them strength, courage, wisdom, and integrity in making the right decisions that will unite the people of this State and Nation. Guide them by Your power and resolve. Bless our Nation, President, State, Governor, Speaker, staff, and all who support the work of this House. 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. CLYBURN moved that when the House adjourns, it adjourn in memory of Jack Leon Knox, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the families of the victims of the school shooting in Broward County, Florida.

CONCURRENT RESOLUTION

The following was introduced:

S. 992 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA PORTS AUTHORITY'S

THURSDAY, FEBRUARY 15, 2018

PORT AMBASSADOR PROGRAM AND TO HONOR THE 2017-2018 PROGRAM PARTICIPANTS.

The Concurrent Resolution was ordered placed on the calendar.

ROLL CALL

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

Alexander	Allison	Anderson
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	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	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pitts	Putnam
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Sandifer	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen

THURSDAY, FEBRUARY 15, 2018

Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Willis
Young	Yow	

Total Present--113

STATEMENT OF ATTENDANCE

Rep. ANDERSON signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, February 14.

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. STRINGER a leave of absence for the day.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. James J. McCoy, Jr., of North Charleston was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on

THURSDAY, FEBRUARY 15, 2018

second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

CO-SPONSORS ADDED

Bill Number: H. 3345
Date: ADD:
02/15/18 MAGNUSON, MARTIN and TRANTHAM

CO-SPONSOR ADDED

Bill Number: H. 3473
Date: ADD:
02/15/18 FRY

CO-SPONSOR ADDED

Bill Number: H. 3842
Date: ADD:
02/15/18 PENDARVIS

CO-SPONSOR ADDED

Bill Number: H. 3847
Date: ADD:
02/15/18 HUGGINS

CO-SPONSORS ADDED

Bill Number: H. 4077
Date: ADD:
02/15/18 TOOLE and MACE

CO-SPONSOR ADDED

Bill Number: H. 4308
Date: ADD:
02/15/18 FRY

THURSDAY, FEBRUARY 15, 2018

CO-SPONSOR ADDED

Bill Number: H. 4310
Date: ADD:
02/15/18 PENDARVIS

CO-SPONSOR ADDED

Bill Number: H. 4377
Date: ADD:
02/15/18 KNIGHT

CO-SPONSOR ADDED

Bill Number: H. 4386
Date: ADD:
02/15/18 PENDARVIS

CO-SPONSORS ADDED

Bill Number: H. 4435
Date: ADD:
02/15/18 COBB-HUNTER and PENDARVIS

CO-SPONSOR ADDED

Bill Number: H. 4465
Date: ADD:
02/15/18 BROWN

CO-SPONSORS ADDED

Bill Number: H. 4672
Date: ADD:
02/15/18 HENDERSON-MYERS and BALLENTINE

CO-SPONSOR ADDED

Bill Number: H. 4676
Date: ADD:
02/15/18 FELDER

CO-SPONSOR ADDED

Bill Number: H. 4810
Date: ADD:
02/15/18 BROWN

THURSDAY, FEBRUARY 15, 2018

CO-SPONSOR ADDED

Bill Number: H. 4836
Date: ADD:
02/15/18 ATWATER

CO-SPONSOR ADDED

Bill Number: H. 4851
Date: ADD:
02/15/18 W. NEWTON

CO-SPONSORS ADDED

Bill Number: H. 4874
Date: ADD:
02/15/18 S. RIVERS, MACK and ANDERSON

CO-SPONSOR ADDED

Bill Number: H. 4875
Date: ADD:
02/15/18 CLARY

SENT TO THE SENATE

The following Bills were taken up, read the third time, and ordered sent to the Senate:

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.

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.

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

THURSDAY, FEBRUARY 15, 2018

DEPARTMENT OF INSURANCE, AND TO DEFINE THE TERM
DIRECT PRIMARY CARE AGREEMENT.

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 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

[HJ]

THURSDAY, FEBRUARY 15, 2018

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.

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

[HJ]

THURSDAY, FEBRUARY 15, 2018

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.

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.

THURSDAY, FEBRUARY 15, 2018

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time, passed and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification:

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.

H. 4828--AMENDED AND ORDERED TO THIRD READING

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 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.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No.1 to H. 4828 (COUNCIL\CM\4828C001.GT.CM18), which was adopted:

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

/ SECTION 1. Section 50-9-740 of the 1976 Code is amended to read:

“Section 50-9-740. (A) The department may select one or more days to designate as a ‘South Carolina Youth Hunting Day’, in addition to the regular seasons for a species of wild game. A youth hunting day must be held outside a regular season on a weekend, holiday, or other nonschool day when a youth hunter may have the maximum opportunity to participate. The A day must be held on the Saturday before the regular Game Zone season framework for hunting antlered deer only. The daily

THURSDAY, FEBRUARY 15, 2018

bag limit on this day is one antlered deer. For all other game, the day may be held up to fourteen days before or after a regular season framework or within a split of a regular season, or within another open season.

(B) A person who is less than eighteen years of age may be a youth hunter. ~~A licensed Youth hunters who have not completed the hunter education program pursuant to Section 50-9-310 who hunt on a statewide youth hunting day must be accompanied by an adult who is at least twenty-one years of age, must accompany a youth hunter in the field and~~ The adult may not harvest or attempt to harvest game during this special hunting event. ~~A license requirement specified in this chapter is waived on a youth hunting day under this section for a youth hunter.~~ A license or tag requirement pursuant to this chapter is waived for a youth hunter on a youth hunting day. A daily harvest limit remains the same as allowed during regular seasons for each species of game.”

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

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

Rep. HILL proposed the following Amendment No. 2 to H. 4828 (COUNCIL\VR\4828C001.NBD.VR18), which was tabled:

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

/ SECTION __. Section 50-9-10 of the 1976 Code is amended to read:

“Section 50-9-10. (A) It is unlawful to hunt, fish, or take fish or wildlife without obtaining a license and applicable permits, tags, or stamps which allow these activities. A person convicted of violating this section is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty nor more than five hundred dollars or imprisoned not more than thirty days.

(B) Notwithstanding another provision of law to the contrary, the provision that requires a person to obtain a hunting license does not apply to a person who hunts on property that contains his primary residence or to his immediate family members who also claim the property as their primary residence.” /

Renumber sections to conform.
Amend title to conform.

THURSDAY, FEBRUARY 15, 2018

Rep. HILL explained the amendment.

Rep. YOW moved to table the amendment.

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

Yeas 67; Nays 30

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Bales	Bannister	Bennett
Bernstein	Blackwell	Bowers
Bradley	Clary	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crosby	Delleney
Dillard	Duckworth	Elliott
Finlay	Forrest	Funderburk
Gagnon	Govan	Henderson
Henderson-Myers	Henegan	Hewitt
Hiott	Hixon	Hosey
Huggins	Jefferson	King
Kirby	Knight	Loftis
Lucas	McCoy	McEachern
McGinnis	McKnight	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Putnam
Ridgeway	M. Rivers	Robinson-Simpson
Sandifer	Sottile	Spires
Stavrinakis	Tallon	Taylor
Toole	Weeks	West
White	Williams	Young
Yow		

Total--67

Those who voted in the negative are:

Atwater	Ballentine	Brawley
Brown	Burns	Caskey
Chumley	Daning	Davis
Erickson	Fry	Gilliard
Hamilton	Hill	Johnson

THURSDAY, FEBRUARY 15, 2018

Jordan	Long	Lowe
Mace	Magnuson	Martin
McCrary	Pendarvis	S. Rivers
G. R. Smith	J. E. Smith	Thayer
Thigpen	Trantham	Willis

Total--30

So, the amendment was tabled.

Rep. HIXON explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Atwater	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Brown
Burns	Caskey	Chumley
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
Hayes	Henderson	Henderson-Myers
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCrary	McEachern

[HJ]

THURSDAY, FEBRUARY 15, 2018

McGinnis	McKnight	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Putnam	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Sandifer
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--104

Those who voted in the negative are:

Total--0

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

**H. 4828--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. HIXON, with unanimous consent, it was ordered that H. 4828 be read the third time tomorrow.

H. 4077--AMENDED AND ORDERED TO THIRD READING

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, Yow, Toole and Mace: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3780 SO AS TO

[HJ]

THURSDAY, FEBRUARY 15, 2018

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.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 4077 (COUNCIL\SA\4077C002.NBD.SA18), which was adopted:

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

/ SECTION 1. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3790. (A) As used in this section:

(1) ‘Eligible school’ means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the state’s diploma requirements, graduation certificate requirements for special needs children, and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;

(e) has school facilities that are subject to applicable federal, state, and local laws;

THURSDAY, FEBRUARY 15, 2018

(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, or Palmetto Association of Independent Schools; and

(g) provides a specially designed program or learning resource center to provide needed accommodations based on the needs of exceptional needs students or provides onsite educational services or supports to meet the needs of exceptional needs students, or is a school specifically existing to meet the needs of only exceptional needs students with documented disabilities.

(2) 'Exceptional needs child' means a child:

(a) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the federal Individuals with Disabilities Education Act; or

(b) who has been diagnosed within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs.

(3) 'Independent school' means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(4) 'Parent' means the natural or adoptive parent or legal guardian of a child.

(5) 'Qualifying student' means a student who is an exceptional needs child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the applicable school year.

(6) 'Resident public school district' means the public school district in which a student resides, or in the case of dependents of active military personnel, the public school district which the student may attend.

THURSDAY, FEBRUARY 15, 2018

(7) 'Transportation' means transportation to and from school only.

(8) 'Tuition' means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(B)(1) There is created the 'Educational Credit for Exceptional Needs Children's Fund' that is separate and distinct from the State general fund. The fund must be organized by the department as a public charity as defined by the Internal Revenue Code under section 509(a)(1) through (4) and consist only of contributions made to the fund. The fund may not receive an appropriation of public funds. The fund must receive and hold all contributions intended for it as well as all earnings until disbursed as provided in this section. Monies received in the fund must be used to provide scholarships to exceptional needs children attending eligible schools.

(2) The amounts on deposit in the fund do not constitute public funds and are not the property of the State. Amounts on deposit in the fund may not be commingled with public funds, and the State does not have a claim to or interest in the amounts on deposit. Agreements or contracts entered into by or on behalf of the fund do not constitute a debt or obligation of the State.

(3) The public charity is governed by five directors, two appointed by the Chairman of the House Ways and Means Committee, one of which is based upon the recommendation of the South Carolina Association of Christian Schools and one which is based upon the recommendation of the Diocese of Charleston, two appointed by the Chairman of the Senate Finance Committee based upon the recommendations of the South Carolina Independent Schools Association, and one appointed by the Governor based upon the recommendation of the Palmetto Association of Independent Schools. The directors of the public charity, along with the director of the department, shall designate an executive director of the public charity.

(4) In concert with the public charity directors, the department shall administer the public charity, including, but not limited to, the keeping of records, the management of accounts, and disbursement of the grants awarded pursuant to this section. The public charity may expend up to two percent of the fund for administration and related costs. The department and the public charity may not expend public funds to administer the program.

THURSDAY, FEBRUARY 15, 2018

(5) By January fifteenth of each year, the department shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor:

(a) the number and total amount of grants issued to eligible schools in each year;

(b) the identity of the school and the amount of the grant for each grant issued to an eligible school in each year;

(c) an itemized and detailed explanation of fees or other revenues obtained from or on behalf of an eligible school;

(d) a copy of a compilation, review, or audit of the fund's financial statements, conducted by a certified public accounting firm; and

(e) the criteria and eligibility requirements for scholarship awards.

(C)(1) Grants may be awarded in an amount not exceeding eleven thousand dollars or the total annual cost of tuition, whichever is less, to a qualifying student at an eligible school.

(2) Before awarding a grant, the public charity shall receive written documentation from the qualifying student's parent or guardian documenting that the qualifying student is an exceptional needs child. Upon approving the application, the public charity shall issue a check to the eligible school in the name of the qualifying student within either thirty days upon approval of the application or thirty days of the start of the school's semester.

(3) If a qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the public charity based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(4) The public charity may not award grants only for the benefit of one school.

(5) The department or the public charity may not release personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain.

(6) The public charity shall develop a process to prioritize the awarding of grants to eligible incumbent grant recipients at eligible schools.

(D)(1)(a) Tax credits authorized by subsection (H)(1) and subsection (I) annually may not exceed cumulatively a total of eleven

THURSDAY, FEBRUARY 15, 2018

million dollars for contributions to the Educational Credit for Exceptional Needs Children's Fund.

(b) Tax credits authorized pursuant to subsection (H)(2) annually may not exceed cumulatively a total of two million dollars for tuition payments made on behalf of qualifying students.

(c) If the department determines that the total of the credits claimed by all taxpayers exceeds either limit amount as contained in subitems (a) or (b), it shall allow credits only up to those amounts on a first come, first-served basis.

(2)(a) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department determines priority for the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(b) A taxpayer may not claim more than sixty percent of his total tax liability for the year in contribution toward the tax credit authorized by subsection (H)(1) or subsection (I). This credit is nonrefundable.

(c) If a taxpayer deducts the amount of the contribution on his federal return and claims the credit allowed by subsection (H)(1) or subsection (I), then he must add back the amount of the deduction for purposes of South Carolina income taxes.

(d) The department shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (H)(1) or subsection (I). The department also shall develop a method of informing taxpayers if the credit limit is met any time during the tax year.

(e) A taxpayer only may claim a credit pursuant to subsection (H)(1) and subsection (I) for contributions made during the tax year.

(3) A corporation or entity entitled to a credit under subsection (H)(1) and subsection (I) may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(E)(1) By August first of each year, an independent school who participated in the program in the previous year and who desires to participate in the program in the current year shall reapply to the Education Oversight Committee. The independent school shall certify to the Education Oversight Committee that it continues to meet all program requirements and shall provide to the committee student test score data from the previous school year by December thirty-first. If student test score data is not submitted by December thirty-first, then the Education Oversight Committee shall remove the school from the program. The

THURSDAY, FEBRUARY 15, 2018

Education Oversight Committee shall consult with the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, the Palmetto Association of Independent Schools, or the Diocese of Charleston to verify that the school is still a member in good standing and that the school continues to serve exceptional needs children. An independent school who did not participate in the program in the previous year but desires to participate in the program in the current year shall apply to the Education Oversight Committee. The Education Oversight Committee shall develop an application to be completed by the independent schools which must contain at least:

(a) the number and total amount of grants received in the preceding school year;

(b) student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by the school receiving or entitled to receive scholarship grants pursuant to this section in the previous school year;

(c) a copy of a compilation, review, or compliance audit of the organization's financial statements as relating to the grants received, conducted by a certified public accounting firm; and

(d) a certification by the independent school that it meets the definition of an eligible school as that term is defined in subsection (A)(1) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(2)(a) The Education Oversight Committee may waive the August first deadline contained in subsection (E) upon good cause shown by an independent school.

(b) The Education Oversight Committee may waive some or all of the curriculum requirements contained in subsection (A)(1)(d) following consultation with the advisory committee.

(3)(a) By September first of each year the Education Oversight Committee shall publish on its website a comprehensive list of independent schools certified as eligible institutions. The list must include for each eligible institution:

(i) the institution's name, addresses, telephone numbers, and, if available, website addresses; and

(ii) the score reports and compliance audits received by the committee pursuant to subsection (E)(1)(b) and (c).

(b) The Education Oversight Committee shall summarize or redact the score reports identified in subitem (a)(ii) if necessary to prevent the disclosure of personally identifiable information.

THURSDAY, FEBRUARY 15, 2018

(4) An independent school that does not apply for certification pursuant to this subsection may not be included on the list of eligible schools and contributions to that school may not be allowed for purposes of the tax credits permitted by this section.

(5) An independent school that is denied certification pursuant to this section may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

(F)(1) The Education Oversight Committee shall establish an advisory committee made up of not more than nine members, including parents, and representatives of independent schools and independent school associations.

(2) The advisory committee shall:

(a) consult with the Education Oversight Committee concerning requests for exemptions from curriculum requirements; and

(b) provide recommendations on other matters requested by the Education Oversight Committee.

(G) Except as otherwise provided, the Department of Education, the Education Oversight Committee, and the Department of Revenue, or any other state agency may not regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this section.

(H)(1) A taxpayer is entitled to a tax credit against income taxes imposed pursuant to this chapter for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to the Educational Credit for Exceptional Needs Children Fund up to the limits contained in subsection (D)(1)(a) if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(2)(a) A taxpayer is entitled to a refundable tax credit against income taxes imposed pursuant to this chapter for the amount of cash and the monetary value of any publicly traded securities, not exceeding eleven thousand dollars for each child, for tuition payments to an eligible school for an exceptional needs child within his custody or care who would be eligible for a grant pursuant to this section up to the limits contained in subsection (D)(1)(b).

(b) If a child within the care and custody of taxpayer claiming a tax credit pursuant to this item also receives a grant from the

THURSDAY, FEBRUARY 15, 2018

Educational Credit for Exceptional Needs Children's Fund, then the taxpayer only may claim a credit equal to the difference of eleven thousand dollars or the cost of tuition, whichever is lower, and the amount of the grant.

(I) A taxpayer is entitled to a tax credit against income taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to the Educational Credit for Exceptional Needs Children's Fund up to the limits contained in subsection (D)(1)(a) if:

(1) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(2) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(J)(1) The department shall conduct a comprehensive study of the Exceptional Needs Tax Credit program. The study must examine the following:

(a) whether or not the students participating in the program have experienced measurable improvement as a result of participation;

(b) the allocation of scholarship funds and tax credits among students, including the effect of funding limitations on the addition of new participants; the demographic and socio-economic data of the participants and their families; and the geographical distribution of the participants;

(c) the distribution of scholarship funds among all eligible schools;

(d) identification of the schools in which the most measurable improvement has occurred among students, with an analysis of the types of schools achieving the best results and best practices implemented by those schools; and

(e) any other aspect of the program that the department determines would be relevant and useful in making future policy decisions in regard to the program and its continued existence or expansion.

(2) The department shall submit a report of its study to the General Assembly no later than January fifteenth of each year."

SECTION 2. This act takes effect upon approval of the Governor and applies to income tax years beginning after 2017. All tax credits earned as a result of a contribution made to the Educational Credit for the Exceptional Needs Children's Fund in 2018 apply to the cumulative total of eleven million dollars regardless of when in 2018 the contribution is

THURSDAY, FEBRUARY 15, 2018

made. All tax credits earned as a result of a tuition payment made by a taxpayer to an eligible school for an exceptional needs child within his custody or care in 2018 apply to the cumulative total of two million dollars regardless of when in 2018 the payment is made. All necessary reports and forms must be submitted as soon as practicable upon the enactment of this act. /

Renumber sections to conform.

Amend title to conform.

Rep. STAVRINAKIS explained the amendment.

Rep. STAVRINAKIS spoke in favor of the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bowers	Brawley	Brown
Bryant	Burns	Caskey
Chumley	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	Hayes	Henderson
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Long

[HJ]

THURSDAY, FEBRUARY 15, 2018

Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCrary	McEachern
McGinnis	McKnight	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Putnam	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Sandifer
Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	Weeks
West	Wheeler	White
Whitmire	Williams	Willis
Young	Yow	

Total--107

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. 4077--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. G. R. SMITH, with unanimous consent, it was ordered that H. 4077 be read the third time tomorrow.

H. 3294--RECOMMITTED

The following Bill was taken up:

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.

[HJ]

THURSDAY, FEBRUARY 15, 2018

Rep. ALLISON moved to recommit the Bill to the Committee on Education and Public Works, which was agreed to.

RECURRENCE TO THE MORNING HOUR

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

H. 4618--POINT OF ORDER

The following Bill was taken up:

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 WHOLESALER 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.

POINT OF ORDER

Rep. KING 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. 4672--POINT OF ORDER

The following Bill was taken up:

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, W. Newton, Henderson-Myers and Ballentine: A BILL TO AMEND SECTION 56-1-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VISION SCREENING REQUIRED FOR ISSUANCE

THURSDAY, FEBRUARY 15, 2018

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.

POINT OF ORDER

Rep. KING 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. 4682--POINT OF ORDER

The following Bill was taken up:

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.

POINT OF ORDER

Rep. KING 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. 4676--POINT OF ORDER

The following Bill was taken up:

H. 4676 -- Reps. Collins and Felder: 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

THURSDAY, FEBRUARY 15, 2018

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.

POINT OF ORDER

Rep. KING 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. 4900--ORDERED TO THIRD READING

The following Bill was taken up:

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.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brawley
Brown	Bryant	Burns
Caskey	Chumley	Clary
Cobb-Hunter	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest

[HJ]

THURSDAY, FEBRUARY 15, 2018

Forrester	Fry	Funderburk
Gagnon	Gilliard	Hamilton
Hayes	Henderson	Henderson-Myers
Henegan	Hewitt	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Lowe	Lucas
Mace	Magnuson	Martin
McCoy	McCravy	McEachern
McGinnis	McKnight	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Putnam	Ridgeway	M. Rivers
S. Rivers	Sandifer	Simrill
G. R. Smith	Sottile	Spires
Tallon	Taylor	Thayer
Thigpen	Toole	Trantham
Weeks	West	White
Whitmire	Williams	Willis
Young	Yow	

Total--98

Those who voted in the negative are:

Total--0

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

**H. 4900--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. S. RIVERS, with unanimous consent, it was ordered that H. 4900 be read the third time tomorrow.

H. 4908--ORDERED TO THIRD READING

The following Bill was taken up:

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

[HJ]

THURSDAY, FEBRUARY 15, 2018

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.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brawley
Brown	Burns	Caskey
Chumley	Clary	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Hayes	Henderson
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McGinnis
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Putnam	Ridgeway
M. Rivers	Robinson-Simpson	Sandifer
Simrill	J. E. Smith	Sottile
Spires	Tallon	Taylor
Thayer	Thigpen	Toole
Trantham	Weeks	West
Wheeler	White	Whitmire

THURSDAY, FEBRUARY 15, 2018

Williams
Yow

Willis

Young

Total--97

Those who voted in the negative are:

Total--0

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

**H. 4908--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. S. RIVERS, with unanimous consent, it was ordered that H. 4908 be read the third time tomorrow.

S. 6--POINT OF ORDER

The following Bill was taken up:

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.

POINT OF ORDER

Rep. WEEKS 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.

[HJ]

THURSDAY, FEBRUARY 15, 2018

H. 4705--POINT OF ORDER

The following Bill was taken up:

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.

POINT OF ORDER

Rep. DELLENEY 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. 4475--POINT OF ORDER

The following Bill was taken up:

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.

POINT OF ORDER

Rep. TALLON 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.

THURSDAY, FEBRUARY 15, 2018

H. 4479--POINT OF ORDER

The following Bill was taken up:

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 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.

POINT OF ORDER

Rep. TALLON 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.

[HJ]

THURSDAY, FEBRUARY 15, 2018

**H. 4931--RECALLED AND REFERRED TO COMMITTEE
ON EDUCATION AND PUBLIC WORKS**

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

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.

**H. 4397--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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.

Rep. GOVAN proposed the following Amendment No. 1A to H. 4397 (COUNCIL\ZW\4397C002.GGS.ZW18), which was tabled:

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

/ SECTION __. Section 2 of an Act of 2017 bearing Ratification Number 127 is amended to read:

~~“SECTION 2. The school district must be governed by a board of trustees of nine members, one of whom must be elected from each of the same seven defined single member election districts as are members of the Orangeburg County Council. These seven board members’ numeric district designations shall match that of the corresponding county council~~

THURSDAY, FEBRUARY 15, 2018

~~district from which the consolidated school district board member is elected, and a consolidated school district board member also must be a resident of the election district from which he is elected. In addition to the seven members elected from the single member districts described above, two additional members must be elected from Orangeburg County at large. These at large board members shall hold seats bearing designations eight and nine. The board member holding at large seat eight must be a resident of Orangeburg County Council District One, Two, Three, or Four, and the board member holding at large seat nine must be a resident of Orangeburg County Council District Five, Six, or Seven. Beginning in 2018, members of the board must be elected at nonpartisan elections to be conducted at the same time as the general election. Members of the board must be elected for four year terms and until their successors are elected and qualify, except that of the nine members of the board elected in 2018, the members elected from election districts one, three, five, seven, and at large seat nine shall serve for initial terms to expire in November 2022, when their successors elected at the 2022 election qualify and take office. The members elected from election districts two, four, six, and at large seat eight shall serve for initial terms to expire in November 2020, when their successors elected at the 2020 election qualify and take office. In the event of a vacancy on the board occurring for any reason other than the expiration of a term, the vacancy must be filled for the unexpired term through appointment by the county legislative delegation. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission on forms furnished by the commission. This notice of candidacy must be a sworn statement and must include the candidate's name, age, election district in which he resides and from which he seeks election, voting precinct, period of residence in the county and election district, and other information that the county election commission requires. The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the elections pursuant to Section 7-13-35. The results of the elections must be determined by the nonpartisan plurality method contained in Section 5-15-61. The members of the board elected in these nonpartisan elections shall take~~

THURSDAY, FEBRUARY 15, 2018

~~office one week following certification of their election pursuant to Section 59-19-315.~~

(A) The school district must be governed by a board of trustees of nine members, one of whom must be elected from each district as outlined in this section. A member of the board must be a resident of the election district from which he is elected. Beginning in 2018, members of the board must be elected at nonpartisan elections to be conducted at the same time as the general election. Members of the board must be elected for four-year terms and until their successors are elected and qualify, except that of the nine members of the board elected in 2018, the members elected from election districts two, four, six, and eight shall serve for initial terms to expire in November 2020, when their successors elected at the 2020 election qualify and take office, and the members elected from election districts one, three, five, seven, and nine shall serve for initial terms to expire in November 2022, when their successors elected at the 2022 election qualify and take office. In the event of a vacancy on the board occurring for any reason other than the expiration of a term, the vacancy must be filled for the unexpired term through appointment by the county legislative delegation. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission on forms furnished by the commission. This notice of candidacy must be a sworn statement and must include the candidate's name, age, election district in which he resides and from which he seeks election, voting precinct, period of residence in the county and election district, and other information that the county election commission requires. The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the elections pursuant to Section 7-13-35. The results of the elections must be determined by the nonpartisan plurality method contained in Section 5-15-61. The members of the board elected in these nonpartisan elections shall take office one week following certification of their election pursuant to Section 59-19-315.

(B)(1) Beginning with the Orangeburg County School District elections in 2018, the nine single-member election districts from which members of the Orangeburg County School District Board of Trustees must be elected are as shown on the Orangeburg County School District

THURSDAY, FEBRUARY 15, 2018

Board of Trustees map S-75-00-18 as maintained by the Revenue and Fiscal Affairs Office.

(2) The demographic information shown on this map is as follows:

<u>District</u>	<u>Pop</u>	<u>Dev.</u>	<u>%Dev.</u>	<u>NH_Wht</u>	<u>%NH_Wht</u>	<u>NH_Bl</u>	<u>%NH_Bl</u>
*1	9,992	-286	-2.78%	3,251	32.54%	6,404	64.09%
2	10,413	135	1.31%	3,277	31.47%	6,806	65.36%
*3	10,167	-111	-1.08%	5,731	56.37%	4,087	40.20%
4	10,447	169	1.64%	4,520	43.27%	5,339	51.11%
*5	10,195	-83	-0.81%	1,815	17.80%	7,922	77.70%
6	10,396	118	1.15%	3,075	29.58%	6,819	65.59%
*7	10,550	272	2.65%	832	7.89%	9,372	88.83%
8	10,084	-194	-1.89%	5,484	54.38%	4,229	41.94%
*9	10,257	-21	-0.20%	3,221	31.40%	6,643	64.77%
TOTAL	92,501	31,206	33.74%	57,621	62.29%		

<u>District</u>	<u>VAP</u>	<u>NHWVAP</u>	<u>%NHWVAP</u>	<u>NHBVAP</u>	<u>%NHBVAP</u>	<u>AllOth</u>
*1	7,771	2,869	36.92%	4,678	60.20%	337
2	7,900	2,671	33.81%	5,004	63.34%	330
*3	7,583	4,410	58.16%	2,938	38.74%	349
4	7,632	3,561	46.66%	3,650	47.82%	588
*5	7,982	1,523	19.08%	6,128	76.77%	458
6	7,986	2,648	33.16%	4,979	62.35%	502
*7	8,671	702	8.10%	7,718	89.01%	346
8	7,744	4,363	56.34%	3,113	40.20%	371
*9	7,793	2,667	34.22%	4,858	62.34%	393
TOTAL	71,062	25,414	35.76%	43,066	60.60%	3,674

*Denotes: 4-year Term /

Renumber sections to conform.

Amend title to conform.

Rep. GOVAN explained the amendment.

Rep. GOVAN spoke in favor of the amendment.

THURSDAY, FEBRUARY 15, 2018

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

Rep. COBB-HUNTER explained the Senate Amendments.

Rep. GOVAN spoke against the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bannister	Bernstein	Blackwell
Bowers	Bradley	Brawley
Brown	Bryant	Burns
Caskey	Chumley	Clary
Cobb-Hunter	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Duckworth	Elliott	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hayes	Henderson	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mace
Mack	Martin	McCoy
McEachern	McGinnis	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Pitts	Putnam	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson
Rutherford	Sandifer	Simrill
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor

THURSDAY, FEBRUARY 15, 2018

Thayer	Thigpen	Toole
Trantham	Weeks	Wheeler
White	Whitmire	Williams
Willis	Yow	

Total--101

Those who voted in the negative are:

Total--0

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

SENT TO THE SENATE

The following Bills were taken up, read the third time, and ordered sent to the Senate:

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

THURSDAY, FEBRUARY 15, 2018

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.

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.

MOTION PERIOD

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

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

Rep. FRY moved to adjourn debate on the Bill until Tuesday, February 20, which was agreed to.

THURSDAY, FEBRUARY 15, 2018

H. 3064--DEBATE ADJOURNED

The following Bill was taken up:

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

Rep. GILLIARD moved to adjourn debate on the Bill until Tuesday, February 20, 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 Tuesday, February 20, which was agreed to.

THURSDAY, FEBRUARY 15, 2018

S. 105--DEBATE ADJOURNED

The following Bill was taken up:

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

Rep. DUCKWORTH moved to adjourn debate on the Bill until Tuesday, February 20, which was agreed to.

H. 4377--AMENDED AND ORDERED TO THIRD READING

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, Williams and Knight: 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

[HJ]

THURSDAY, FEBRUARY 15, 2018

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

Rep. CLARY proposed the following Amendment No. 2 to H. 4377 (COUNCIL\DG\4377C005.BBM.DG18), which was adopted:

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

/ SECTION 1. Section 58-3-20 of the 1976 Code is amended to read:

“Section 58-3-20. (A) The commission is composed of seven members to be elected by the General Assembly in the manner prescribed by this chapter. Each member must have:

(1) a baccalaureate or more advanced degree from:

(a) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;

(b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(c) an institution of higher learning chartered before 1962;

and

(2) a background of substantial duration and an expertise in at least one of the following:

(a) energy issues;

(b) telecommunications issues;

(c) consumer protection and advocacy issues;

(d) water and wastewater issues;

(e) finance, economics, and statistics;

(f) accounting;

THURSDAY, FEBRUARY 15, 2018

- (g) engineering; or
- (h) law.

~~(B) The review committee may find a candidate qualified although the candidate does not have a background of substantial duration and expertise in one of the eight enumerated areas contained in subsection (A)(2) of this section if three-fourths of the review committee vote to qualify the candidate and provide written justification of their decision in the report as to the qualifications of the candidates.~~

~~(C) The qualification provisions of subsection (A) of this section do not apply to the reelection of a commissioner elected by the General Assembly on March 3, 2004, so long as there is no break in service.~~

~~(D)(1) Beginning in 2004, The members of the Public Service Commission must be elected to staggered terms. In 2004, the members representing the Second, Fourth, and Sixth Congressional Districts must be elected for terms ending on June 30, 2006, and until their successors are elected and qualify. Thereafter, members representing the Second, Fourth, and Sixth Congressional Districts must be elected to terms of four years and until their successors are elected and qualify. In 2004, the members representing the First, Third, and Fifth Congressional Districts and the State at large must be elected for terms ending on June 30, 2008, and until their successors are elected and qualify. Thereafter, members representing the First, Third, and Fifth Congressional Districts and the State at large must be elected to terms of four years and until their successors are elected and qualify. Notwithstanding the provisions of this section, members representing the First, Third, and Fifth Congressional Districts shall serve until the expiration of their terms, and in 2013, members representing the First, Third, and Fifth Congressional Districts must be elected for terms ending on June 30, 2016, and until their successors are elected and qualified.~~

~~(2) In the event there are Seven Congressional Districts, the member elected from the State at large shall serve until the expiration of his term, and in 2013, a member representing the Seventh Congressional District must be elected for a term ending on June 30, 2016, and until his successor is elected and qualified. Thereafter, the member representing the Seventh Congressional District must be elected to terms of four years and until his successor is elected and qualified. Upon the election and qualification of the member representing the Seventh Congressional District, the at large member elected to satisfy the requirements of subsection (E) immediately shall cease to be a member of the commission.~~

THURSDAY, FEBRUARY 15, 2018

~~(E) The General Assembly must provide for the election of the seven-member commission and elect its members based upon the congressional districts established by the General Assembly pursuant to the latest official United States Decennial Census. If the number of congressional districts is less than seven, additional members must be elected at large to provide for a seven-member commission. In the event the congressional districts established by the General Assembly are under review by a court for compliance with statutory or constitutional requirements, an election scheduled pursuant to this section shall not be held until a final determination is made by the courts regarding the congressional districts. The inability to hold an election due to judicial review of the congressional districts does not constitute a vacancy on the commission and the commissioners serve until their successors are elected and qualify. Terms of members of the Public Service Commission in Seats 2, 4, and 6 shall expire on June 30, 2018. Terms of members of the Public Service Commission in Seats 1, 3, 5, and 7 shall expire on June 30, 2019. The successors for the expiring terms must be elected pursuant to subsection (C).~~

(C) The Public Service Commission must be composed of one member elected from each congressional district. The members of the commission must be elected to terms of four years and until their successors are elected and qualify. Beginning with the 2018 election, elections must be held as follows:

(1) Seats 2, 4, and 6 must be elected in 2018 and then in every other even-numbered year thereafter; and

(2) Seats 1, 3, 5, and 7 must be elected in 2019 and then in every other odd-numbered year thereafter.

~~(F)(D) The Governor may fill vacancies in the office of commissioner until the successor in the office for a full term or an unexpired term, as applicable, has been elected by the General Assembly. In cases where a vacancy occurs on the commission when the General Assembly is not in session, the Governor may fill the vacancy by an interim appointment. The Governor must report the interim appointment to the General Assembly and must forward a formal appointment at its next ensuing regular session.”~~

SECTION 2. Section 58-3-30(C) of the 1976 Code is amended to read:

“(C)(1)Each year, the commissioners and their employees must attend a workshop of at least six contact hours concerning ethics and the Administrative Procedures Act. This workshop must be developed with input from the review committee. Also, each year, the commissioners

THURSDAY, FEBRUARY 15, 2018

and their employees must attend at least six hours of continuing education curriculum which directly relates to the subject matter for which the commission is responsible. The continuing education curriculum must be approved by the Public Utilities Review Committee.

(2) In meeting the requirements of this subsection:

(a) Commissioners and commission employees may receive reimbursement of expenses for the extra-judicial activities permitted by the Code of Judicial Conduct, if the source of such payments does not give the appearance of influencing the commissioners and commission employees' performance of duties or otherwise give the appearance of impropriety.

(b) Reimbursement shall not exceed a reasonable amount nor shall it exceed what a person who is not a commissioner or commission employee would receive for the same activity.

(c) Expense reimbursements are limited to the actual cost of travel, food, and lodging reasonably incurred, pursuant to Canon 4 contained in Rule 501 of the South Carolina Appellate Court Rules, regardless of the source of the reimbursement.

(d) Notwithstanding any other provision of law or the Code of Judicial Conduct, commissioners and commission employees may only receive reimbursements reasonably related to obtaining the continuing education required by this subsection.

(E) Commissioners and commission employees shall report the date, place, and nature of any activity for which the commissioners or commission employees received reimbursement. The commissioners and commission employees further shall report the name of the payor and the amount of reimbursement received. The report must be made at least annually and must be filed as a public document with the State Ethics Commission."

SECTION 3. A. Section 58-3-60(D) of the 1976 Code is amended to read:

~~"(D) The commission shall not inspect, audit, or examine public utilities. The inspection, auditing, and examination of public utilities is solely the responsibility of the Office of Regulatory Staff."~~

B. Section 58-3-190(C) of the 1976 Code is amended to read:

~~"(C) The commission may request direct the Office of Regulatory Staff to make, pursuant to Section 58-4-50(A)(2), an inspection, audit, or examination of the persons or entities referred to in subsection (A) regarding matters the commission requires to be addressed in the reports referred to in subsection (A)."~~

C. Section 58-3-200 of the 1976 Code is amended to read:

THURSDAY, FEBRUARY 15, 2018

“Section 58-3-200. In addition to any authority granted to the Office of Regulatory Staff, the commission has the authority to initiate inspections, audits, and examinations of all persons and entities subject to its jurisdiction, including a physical inspection of facilities. Such inspections, audits, and examinations must relate to matters within the commission’s jurisdiction. Notwithstanding any other provision of law, the commission must not conduct such inspections, audits, and examinations itself, but must request that they be conducted by the Office of Regulatory Staff pursuant to Section 58-4-50(A)(2). Also, the commission may take any other lawful action the commission deems necessary in the furtherance of its duties set forth in this chapter.”

SECTION 4. Section 58-3-225 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“() Before making a determination, the commissioners shall question the parties thoroughly during hearings of contested cases when appropriate.”

SECTION 5. A. Section 58-3-260(A)(2) of the 1976 Code is amended to read:

“(2) ‘Person’ means a party to a proceeding pending before the commission, a member of the Office of Regulatory Staff, a representative of a party to a proceeding pending before the commission, individuals, corporations, partnerships, limited liability companies, elected officials of state government, and other public and elected officials. Except that ‘person’ does not mean any member or staff of the Public Utilities Review Committee or any other legislative committee charged with review of the commission.”

B. Section 58-3-260(C) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“() a communication made by or to a member or staff of the Public Utilities Review Committee, or any other legislative committee charged with review of the commission, in the furtherance of the duties of the committees. The exemption contained in this item does not extend to any communication made regarding a pending matter.”

SECTION 6. Section 58-3-530(1)(a) of the 1976 Code is amended to read:

“(a) ~~no more than three~~ all candidates found qualified for each seat on the Public Service Commission to be elected by the General Assembly. In order to be nominated, a candidate must be found qualified by meeting the requirements as provided in Sections 58-3-20 and 58-3-560;”

SECTION 7. Section 58-3-560 of the 1976 Code is amended to read:

THURSDAY, FEBRUARY 15, 2018

“Section 58-3-560. (A) Whenever an election is to be held by the General Assembly in joint session to elect a person to serve on the commission, the review committee must conduct its screening pursuant to the provisions of Section 2-20-10, et seq.; however, Section 2-20-40 is not applicable to a screening by the review committee. Beginning with the 2019 election for persons to serve on the commission, the election must be held at least forty-five days after the screening and nomination process is complete.

(B) In order to be nominated for a seat on the commission, candidates must meet the requirements of Section 58-3-20 and this section, and must not be prohibited from election pursuant to Section 58-3-24. In screening candidates for the commission and making its findings, the review committee must seek to find the best qualified people by giving due consideration to:

(1) ability, dedication, compassion, common sense, and integrity of the candidates; and

(2) the race and gender of the candidates and other demographic factors to assure nondiscrimination to the greatest extent possible of all segments of the population of the State.”

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

Rep. CLARY explained the amendment.

Rep. CLARY spoke in favor of the amendment.
The amendment was then adopted.

LEAVE OF ABSENCE

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

Rep. HILL spoke against the Bill.
Rep. FINLAY spoke in favor of the Bill.
Rep. J. E. SMITH spoke in favor of the Bill.
Rep. ARRINGTON 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 108; Nays 1

[HJ]

THURSDAY, FEBRUARY 15, 2018

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brawley	Brown	Bryant
Burns	Caskey	Chumley
Clary	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Davis	Delleney
Dillard	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hart
Hayes	Henderson	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Knight	Loftis
Long	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCray	McEachern
McGinnis	McKnight	D. C. Moss
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pitts
Ridgeway	M. Rivers	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--108

THURSDAY, FEBRUARY 15, 2018

Those who voted in the negative are:
Hill

Total--1

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

OBJECTION TO MOTION

Rep. FINLAY asked unanimous consent that H. 4377 be read a third time tomorrow.

Rep. HILL objected.

LEAVE OF ABSENCE

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

RECURRENCE TO THE MORNING HOUR

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

REPORTS OF STANDING COMMITTEES

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

H. 3820 -- Reps. Fry, Bedingfield, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Hamilton, Elliott, Jordan, B. Newton, Martin, Erickson, Lowe, Atwater, Willis, Jefferson, W. Newton, Thigpen, Bennett, Crosby, Long, Putnam and Cogswell: A BILL TO AMEND SECTION 59-32-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SCHOOL COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO REQUIRE CERTAIN INSTRUCTION IN PRESCRIPTION OPIOID ABUSE PREVENTION IN GRADES NINE THROUGH TWELVE BEGINNING WITH THE 2017-2018 SCHOOL YEAR.

Ordered for consideration tomorrow.

THURSDAY, FEBRUARY 15, 2018

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

H. 4810 -- Reps. Gilliard, Williams, Hosey, Jefferson, Cobb-Hunter, Henegan, Ott, King, Govan, Howard, Pendarvis and Brown: A JOINT RESOLUTION TO CREATE THE "SCHOOL METAL DETECTOR STUDY COMMITTEE" TO STUDY WHETHER IT IS IN THE PUBLIC INTEREST TO REQUIRE THE INSTALLATION AND USE OF METAL DETECTORS AT PUBLIC SCHOOLS IN THIS STATE, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, AND TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY.

Ordered for consideration tomorrow.

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

H. 4078 -- Rep. Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MILITARY PRIORITY REGISTRATION ACT"; AND BY ADDING SECTION 59-103-37 SO AS TO PROVIDE PRIORITY COURSE ENROLLMENT FOR MILITARY-RELATED STUDENTS, AND TO DEFINE NECESSARY TERMINOLOGY.

Ordered for consideration tomorrow.

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

H. 4434 -- Reps. Clary, Elliott, Cogswell, Collins, Henderson-Myers, Felder, Pope, Taylor and Ott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 33, TITLE 59 SO AS TO DEFINE NECESSARY TERMS, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE A UNIVERSAL SCREENING TOOL FOR USE BY LOCAL SCHOOL DISTRICTS TO SCREEN STUDENTS IN KINDERGARTEN THROUGH SECOND GRADE FOR CHARACTERISTICS OF DYSLEXIA BEGINNING WITH THE 2019-2020 SCHOOL YEAR; TO PROVIDE SPECIFIC ABILITIES THAT THE SCREENING TOOL MUST MEASURE; TO PROVIDE THAT PARENTS AND OTHER CERTAIN PARTIES MAY REQUEST THIS DYSLEXIA SCREENING FOR A STUDENT; TO

THURSDAY, FEBRUARY 15, 2018

REQUIRE LOCAL SCHOOL DISTRICTS TO CONVENE SCHOOL-BASED PROBLEM SOLVING TEAMS TO ANALYZE SCREENING DATA AND PROGRESS MONITORING DATA TO ASSIST TEACHERS IN PLANNING AND IMPLEMENTING APPROPRIATE INSTRUCTION AND EVIDENCE-BASED INTERVENTIONS FOR ALL STUDENTS; TO REQUIRE DYSLEXIA-SPECIFIC INTERVENTIONS FOR STUDENTS INDICATED BY SCREENINGS TO HAVE CHARACTERISTICS OF DYSLEXIA; TO REQUIRE THE DEPARTMENT TO PROVIDE RELATED PROFESSIONAL DEVELOPMENT RESOURCES FOR EDUCATORS; TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RELATED REGULATIONS; AND TO CREATE A DYSLEXIA ADVISORY COUNCIL TO ADVISE THE DEPARTMENT IN MATTERS RELATING TO DYSLEXIA.

Ordered for consideration tomorrow.

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

H. 3595 -- Reps. Thayer, Hardee, Ryhal, Hewitt, Clary, Hiott, V. S. Moss, Williams, Taylor, Hixon and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-1537 SO AS TO PROVIDE THAT A DRIVER OF A MOTOR VEHICLE APPROACHING A VEHICLE COLLECTING SOLID WASTE OR RECOVERED MATERIALS, AS PROVIDED IN SECTION 56-5-2510, MUST PROCEED WITH CAUTION AND, IF POSSIBLE, YIELD THE RIGHT OF WAY BY MAKING A LANE CHANGE INTO A LANE THAT IS NOT ADJACENT TO THE VEHICLE COLLECTING SOLID WASTE OR RECOVERED MATERIALS, AND TO PROVIDE A PENALTY.

Ordered for consideration tomorrow.

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

H. 4596 -- Reps. Collins, Allison, Felder, Govan, Taylor, Bradley, Knight, West and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN

THURSDAY, FEBRUARY 15, 2018

APPLICABLE LAWS AND REGULATIONS, AND PROVIDE RELATED REQUIREMENTS FOR COMPETENCY-BASED SCHOOLS, THE STATE DEPARTMENT OF EDUCATION, AND THE COMMISSION ON HIGHER EDUCATION.

Ordered for consideration tomorrow.

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

H. 4836 -- Reps. Ott and Atwater: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-11-236 SO AS TO PROVIDE THAT IF A DAM WHICH FAILED OR SUFFERED A BREACH BETWEEN OCTOBER 1, 2015, AND OCTOBER 15, 2015, HAS A PUBLIC ROAD OR HIGHWAY IN THE STATE HIGHWAY SYSTEM RUNNING ACROSS THE TOP OF IT AND HAS NOT BEEN REPAIRED OR IS NOT CURRENTLY UNDER REPAIR, THE DEPARTMENT OF TRANSPORTATION SHALL PROCEED IMMEDIATELY WITH THE PROCESS OF REPAIRING THE PUBLIC ROAD OR HIGHWAY ATOP THE DAM, IF SUITABLE RIGHTS OF WAY OR EASEMENTS AFFORD THE STATE OR THE DEPARTMENT OF TRANSPORTATION THE RIGHT TO DO SO WITHOUT THE NECESSITY OF SAVING OR REPAIRING THE DAM, AND TO PROVIDE THAT IF SUITABLE RIGHTS OF WAY OR EASEMENTS DO NOT EXIST OVER WHICH THE PUBLIC ROAD OR HIGHWAY SHALL BE CONSTRUCTED, THE DEPARTMENT OF TRANSPORTATION SHALL BEGIN THE PROCESS OF ACQUIRING THEM BY ALL AVAILABLE LAWFUL MEANS SO THAT THE PUBLIC ROAD OR HIGHWAY CAN BE PUT BACK INTO SERVICE FOR THE USE OF THE GENERAL PUBLIC AS SOON AS POSSIBLE.

Ordered for consideration tomorrow.

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

H. 4704 -- Reps. Loftis, Burns, Erickson, Chumley, Yow, Herbkersman, Hiott, Hixon, McCravy and Pitts: A BILL TO AMEND SECTION 48-39-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO UTILIZE CRITICAL AREAS, SO AS TO AUTHORIZE THE DEPARTMENT

THURSDAY, FEBRUARY 15, 2018

OF HEALTH AND ENVIRONMENTAL CONTROL TO ISSUE
GENERAL PERMITS UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

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

H. 4683 -- Reps. Hewitt, Fry, Erickson, Clemmons, Duckworth, Yow,
Martin, Hardee, Johnson, McGinnis, Crawford, Anderson,
Herbkersman, Sottile, Hixon, Taylor, Arrington, D. C. Moss, Atwater,
S. Rivers, Mace, Lucas and Bradley: A BILL TO AMEND THE CODE
OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE
"BEACHFRONT MANAGEMENT REFORM ACT"; TO AMEND
SECTION 44-1-60, RELATING TO APPEALS FROM DECISIONS
OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL
CONTROL GIVING RISE TO CONTESTED CASES, SO AS TO
EXCLUDE DECISIONS TO ESTABLISH BASELINES OR
SETBACK LINES FROM THE APPEAL PROCEDURES; TO
AMEND SECTION 48-39-10, RELATING TO COASTAL
TIDELANDS AND WETLANDS DEFINITIONS, SO AS TO
REDEFINE THE TERM "PRIMARY OCEANFRONT SAND DUNE"
FOR PURPOSES OF ESTABLISHING A BASELINE AND TO
DEFINE THE TERM "STORM SURGE"; AND TO AMEND
SECTION 48-39-280, RELATING TO THE STATE'S FORTY-YEAR
RETREAT POLICY, SO AS TO REQUIRE THE USE OF
HISTORICAL AND SCIENTIFIC DATA THAT ACCOUNTS FOR
EFFECTS OF NATURAL PROCESSES WHEN DETERMINING
EROSION RATES, TO ESTABLISH THAT THE DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL MUST ESTABLISH
BASELINES AND SETBACK LINES FOR CERTAIN AREAS AND
UNDER CERTAIN GUIDELINES, TO PROHIBIT THE USE OF
DATA FROM AN AREA IMPACTED BY A STORM SYSTEM OR
EVENT NAMED BY THE NATIONAL WEATHER SERVICE FOR
TWO YEARS AFTER THE STORM, TO REQUIRE THE
DEPARTMENT TO GRANT A REVIEW OF A BASELINE OR
SETBACK LINE FOR A LANDOWNER, A MUNICIPALITY,
COUNTY, OR ORGANIZATION ACTING ON BEHALF OF A
LANDOWNER THAT SUBMITS SUBSTANTIATING EVIDENCE

[HJ]

THURSDAY, FEBRUARY 15, 2018

SHOWING AN ADVERSE AFFECT ON HIS PROPERTY AND TO ESTABLISH GUIDELINES FOR REVIEW.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3622 -- Reps. Ryhal, Atkinson, Burns, Duckworth, Gagnon, Henegan, Herbkersman, Hill, Hixon, Johnson, Kirby, V. S. Moss, Ridgeway, Spires, Taylor, Thayer, Yow and Robinson-Simpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-51-210 SO AS TO PROVIDE CERTAIN PODIATRIC SURGERY MUST BE PERFORMED IN CERTAIN FACILITIES, TO PROVIDE A PODIATRIST WHO PERFORMS THESE PROCEDURES MUST MEET CERTAIN CRITERIA, TO PROVIDE FOR THE EXTENSION OF PROFESSIONAL PRIVILEGES TO THESE PODIATRISTS BY CERTAIN HEALTH FACILITIES, TO REQUIRE HEALTH FACILITIES IN THIS STATE PROVIDE THE RIGHT TO PURSUE AND PRACTICE FULL CLINICAL AND SURGICAL PRIVILEGES TO PODIATRISTS WHO MEET CERTAIN CRITERIA, TO PROVIDE AN ABILITY TO LIMIT THESE PRIVILEGES IN CERTAIN CIRCUMSTANCES, TO PROVIDE THIS SECTION DOES NOT REQUIRE A HEALTH FACILITY IN THIS STATE TO OFFER A SPECIFIC HEALTH SERVICE NOT OTHERWISE OFFERED, AND TO PROVIDE THAT IF THE FACILITY DOES OFFER A HEALTH SERVICE, IT MAY NOT DISCRIMINATE AMONG CERTAIN HEALTH PROFESSIONALS AUTHORIZED BY LAW TO PROVIDE THESE SERVICES; AND TO AMEND SECTION 40-51-20, RELATING TO DEFINITIONS, SO AS TO REVISE AND ADD CERTAIN DEFINITIONS.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3819 -- Reps. Bedingfield, Fry, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, King, Knight, Arrington, Forrest, Allison, Tallon, Hamilton, Felder, Elliott, Jordan, B. Newton, Martin, McCravy, Wheeler, Erickson, West, Lowe, Ryhal, Atwater, Willis,

[HJ]

THURSDAY, FEBRUARY 15, 2018

Jefferson, W. Newton, Thigpen, Bennett, Crosby, Long, Putnam, Cogswell and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-362 SO AS TO ESTABLISH REQUIREMENTS RELATED TO PRESCRIBING OPIOID ANALGESICS TO MINORS.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 4492 -- Reprs. Spires and Jefferson: A BILL TO AMEND SECTION 44-53-360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO CHANGE DOSAGE LIMITATIONS FOR CERTAIN PRESCRIBED CONTROLLED SUBSTANCES.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4937 -- Reprs. Mack, Gilliard, Stavrinakis, McCoy, Brown, Pendarvis, Sottile, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, 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, 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, Spires, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR JUDGE RICHARD E. FIELDS FOR A LIFETIME OF ACCOMPLISHMENTS AND TO

THURSDAY, FEBRUARY 15, 2018

WISH HIM CONTINUED SUCCESS IN ALL OF HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4938 -- Reps. Cole, Allison, Chumley, Forrester, Henderson-Myers, Long, Magnuson, Tallon, Alexander, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Lowe, Lucas, Mace, Mack, 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, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR AND COMMEND JOHN PERRY ON THE OCCASION OF HIS RETIREMENT AFTER OVER TWENTY YEARS OF SERVICE TO THE UNIVERSITY OF SOUTH CAROLINA UPSTATE AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4939 -- Reps. Weeks, G. M. Smith, 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,

[HJ]

THURSDAY, FEBRUARY 15, 2018

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. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF GUSTAVE DICKS HOLLIDAY OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4940 -- Reprs. Bowers, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, 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

THURSDAY, FEBRUARY 15, 2018

HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE HONORABLE TERRY WRIGHT, MAYOR OF THE TOWN OF BRUNSON, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-SIX YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4941 -- Reprs. Allison, Alexander, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR AND COMMEND ADMIRAL SAMUEL J. LOCKLEAR III FOR AN IMPRESSIVE CAREER IN THE UNITED STATES NAVY AND IN THE PRIVATE SECTOR, AND TO EXTEND GRATITUDE FOR HIS SERVICE FOR OUR NATION AND ITS CITIZENS.

The Resolution was adopted.

THURSDAY, FEBRUARY 15, 2018

HOUSE RESOLUTION

The following was introduced:

H. 4942 -- Reps. Young, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO HONOR AND COMMEND GRACEY CHAFIN OF GRANITEVILLE FOR HER EXEMPLARY RECORD OF VOLUNTEER SERVICE, PEER LEADERSHIP, AND COMMUNITY SPIRIT AND TO CONGRATULATE HER FOR EARNING THE PRESTIGIOUS 2018 PRUDENTIAL SPIRIT OF COMMUNITY AWARD.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4943 -- Rep. Howard: A CONCURRENT RESOLUTION TO DECLARE MARCH 2018 AS BLEEDING DISORDERS AWARENESS MONTH IN THE STATE OF SOUTH CAROLINA AND TO INCREASE RECOGNITION OF THE ILLNESS.

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

THURSDAY, FEBRUARY 15, 2018

INTRODUCTION OF BILLS

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

H. 4944 -- Reps. Burns, G. R. Smith, Loftis, Chumley and Robinson-Simpson: A JOINT RESOLUTION TO PROVIDE FOR AN ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2018 GENERAL ELECTION TO DETERMINE WHETHER THE QUALIFIED ELECTORS OF GREENVILLE COUNTY FAVOR THE EXISTING GOVERNING STRUCTURE OF THE GREENVILLE HEALTH SYSTEM AND WHETHER THIS GOVERNING STRUCTURE MUST BE USED IN ALL CURRENT OR FUTURE ENTITIES THE GREENVILLE HEALTH SYSTEM CREATES.

Referred to Greenville Delegation

H. 4945 -- Reps. Loftis, G. R. Smith, Trantham, Burns, Chumley and Robinson-Simpson: A BILL TO REPEAL SECTION 4 OF ACT 432 OF 1947, AS AMENDED BY SECTION 2 OF ACT 105 OF 2013; TO AMEND ACT 432 OF 1947, AS LAST AMENDED BY ACT 105 OF 2013, BY ADDING A NEW SECTION, TO PROVIDE FOR THE DUTIES OF THE GREENVILLE HEALTH SYSTEM BOARD OF TRUSTEES; TO AMEND ACT 432 OF 1947, AS LAST AMENDED BY ACT 105 OF 2013, BY ADDING A NEW SECTION, TO PROVIDE FOR THE APPOINTMENT OF AN INTERIM PRESIDENT AND TO PROVIDE DUTIES, TO PROVIDE FOR A NEWLY FORMED 501(c)(3) AND ITS DUTIES, TO PROVIDE FOR THE DISTRIBUTION OF THE ACCRUED INTEREST INCOME FROM MONIES, AND TO PROVIDE FOR THE ELECTION OF BOARD MEMBERS AND FOR THEIR TERMS; TO AMEND ACT 432 OF 1947, AS LAST AMENDED BY ACT 105 OF 2013, BY ADDING A NEW SECTION, TO PROVIDE THAT GREENVILLE HEALTH SYSTEM SHALL ENGAGE IN AND ESTABLISH A COMPETITIVE BIDDING PROCESS; TO AMEND ACT 432 OF 1947, AS LAST AMENDED BY ACT 105 OF 2013, BY ADDING A NEW SECTION, TO PROVIDE FOR THE DISTRIBUTION OF ALL MONIES COLLECTED FROM THE SALE OF THE ASSETS; TO PROVIDE THAT NO PUBLIC MONIES OR ASSETS MAY BE EXPENDED OR LIQUIDATED TO PURSUE LEGAL CHALLENGES RELATED TO THIS ACT; TO PROVIDE THAT THE PERSONS HOLDING EXECUTIVE POSITIONS WITHIN THE

THURSDAY, FEBRUARY 15, 2018

501(c)(3) ORGANIZATIONS SHALL VACATE ALL OFFICE SPACE CONTROLLED BY GREENVILLE HEALTH SYSTEM; TO REPEAL ANY PROVISION IN CONFLICT WITH THE PROVISIONS OF THIS ACT; TO PROVIDE THAT, UPON FINAL DISTRIBUTION OF THE ASSETS, ACT 432 OF 1947 AND ALL AMENDMENTS TO THE ACT ARE REPEALED WITH EXCEPTIONS; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT ARE VOID IF THE SOUTH CAROLINA SUPREME COURT PUBLISHES AN OPINION DETERMINING THAT THE BOARD OF TRUSTEES OPERATED WITHIN ITS LEGAL AUTHORITY.

PARLIAMENTARY RULING

The Bill, H. 4945, will direct the Greenville Health System Board of Trustees to sell the Greenville Health System and will direct the proceeds of the sale to various programs and entities.

This Bill is a contentious issue, and I'm very well aware of its importance to the upstate community.

I have been approached by multiple persons concerning this legislation and its potential reference to a committee or county legislative delegation.

As presiding officer of this Body, I cannot let the politics of legislation dictate my decision as to where a Bill should be referred. I have to look at it objectively and try to be fair in the application of the House Rules and precedents.

I've studied this issue thoroughly. Over the last 20 years, eight different pieces of legislation concerning the Greenville Hospital System, now known as the Greenville Health System, have been introduced in the South Carolina House of Representatives. Six of these bills have gone without reference. One bill has been referred to the Greenville County Legislative Delegation, and one bill has been referred to the House Judiciary Committee.

Originally, in 1947, the Greenville Hospital System was established to allow Greenville County to purchase the Greenville City Hospital to better serve the people of Greenville County. Since 1947, this health system has grown tremendously and serves far more than just the citizens of Greenville County. A review of the Greenville Health System website shows that Greenville Health System owns medical facilities in seven upstate counties (Anderson, Greenville, Greenwood, Laurens, Oconee, Pickens, and Spartanburg).

THURSDAY, FEBRUARY 15, 2018

The House Rules and Precedents clearly state that local legislation cannot extend beyond the boundaries of a single county. Under the House Rules and precedents, if a bill affects or touches upon more than one county it is not “local” and should be treated as “statewide” legislation. A perfect example of this is legislation concerning the Greenville County School District which extends beyond Greenville County boundaries to include land in surrounding counties. As a result, all legislation concerning the Greenville County School District is placed on the statewide Calendar.

Based upon the fact that this legislation affects land in counties other than Greenville County it must be treated as statewide legislation, and I feel it is incumbent upon me to refer this legislation to the House Judiciary Committee.

Referred to Committee on Judiciary

H. 4946 -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Bowers and M. Rivers: A BILL TO AMEND SECTION 50-5-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SHELLFISH IMPORTATION PERMITS, SO AS TO DELETE THE PROVISION THAT ALLOWS THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE PERMITS TO PERSONS TO POSSESS, PRODUCE, PURCHASE, OR SELL GENETICALLY MODIFIED SHELLFISH, AND THE PROVISION THAT PROHIBITS THE PLACEMENT OF GENETICALLY MODIFIED SHELLFISH IN THE WATERS OF THIS STATE WITHOUT A PERMIT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4947 -- Reps. Howard and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-735 SO AS TO PROVIDE THAT IN THE EVENT OF A MEDICAL EMERGENCY, A STATE EMPLOYEE MAY MAKE A WRITTEN REQUEST TO HIS EMPLOYING AGENCY THAT A SPECIFIED NUMBER OF HOURS OF HIS ACCRUED ANNUAL OR SICK LEAVE ACCOUNT, OR BOTH, BE TRANSFERRED FROM HIS ANNUAL OR SICK LEAVE ACCOUNT, OR BOTH, TO A SPECIFIC LEAVE RECIPIENT RATHER THAN TO A LEAVE POOL ACCOUNT, SUBJECT TO THE APPROVAL OF THE AGENCY DIRECTOR, AND TO PROVIDE DEFINITIONS,

THURSDAY, FEBRUARY 15, 2018

REQUIREMENTS, AND PROCEDURES IN REGARD TO THIS PROVISION.

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

H. 4948 -- Reps. Clary and D. C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-600 SO AS TO PROVIDE THAT PEOPLE WHOSE RESIDENCES MOVE FROM ONE COUNTY TO ANOTHER DUE TO BOUNDARY REESTABLISHMENTS MAY ENROLL THEIR CHILDREN IN THE COUNTY IN WHICH THEY RESIDED BEFORE THE BOUNDARY REESTABLISHMENT, TO PROVIDE THEY ARE NOT REQUIRED TO ENROLL THEIR CHILDREN IN SCHOOLS IN THE COUNTY IN WHICH THEIR RESIDENCE WAS LOCATED BEFORE THE REESTABLISHMENT, TO DEFINE NECESSARY TERMS, AND TO PROVIDE LIMITATIONS ON THE AVAILABILITY OF THESE RIGHTS.

Referred to Committee on Education and Public Works

H. 4949 -- Reps. Long, Chumley, Burns, McCravy, Magnuson and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 20-1-110 SO AS TO ENACT THE "MARRIAGE AND CONSTITUTION RESTORATION ACT"; TO DEFINE CERTAIN TERMS, INCLUDING "PARODY MARRIAGE" AND "MARRIAGE"; TO PROVIDE THAT PARODY MARRIAGE POLICIES ARE NONSECULAR IN NATURE; TO PROHIBIT THE STATE FROM RESPECTING, ENDORSING, OR RECOGNIZING ANY PARODY MARRIAGE POLICY OR POLICIES THAT TREAT SEXUAL ORIENTATION AS A SUSPECT CLASS; AND FOR OTHER PURPOSES.

Referred to Committee on Judiciary

H. 4953 -- Reps. Cogswell and Brown: A BILL TO AMEND SECTION 6-29-915, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ZONING APPEAL PRELITIGATION MEDIATION, SO AS TO CHANGE FROM MANDATORY TO DISCRETIONARY A MOTION MADE BY A PERSON WHO IS NOT THE PROPERTY OWNER TO INTERVENE AS A PARTY EVEN THOUGH THE BOARD OF ARCHITECTURAL REVIEW HAS

THURSDAY, FEBRUARY 15, 2018

DETERMINED THAT THE PERSON HAS A SUBSTANTIAL INTEREST IN THE DECISION.

Referred to Committee on Judiciary

H. 4954 -- Reps. Cogswell and Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 7, TITLE 6 SO AS TO ENACT THE "SOUTH CAROLINA INCLUSIONARY ZONING ACT" TO PROVIDE THAT COUNTIES AND MUNICIPALITIES ARE AUTHORIZED TO USE INCLUSIONARY ZONING STRATEGIES TO INCREASE THE AVAILABILITY OF AFFORDABLE HOUSING.

Referred to Committee on Judiciary

H. 4955 -- Reps. S. Rivers, Huggins, Bennett and Arrington: A BILL TO AMEND SECTION 12-6-2320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALLOCATION AND APPORTIONMENT OF INCOME, SO AS TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ENTER INTO AN AGREEMENT ESTABLISHING THE ALLOCATION AND APPORTIONMENT OF THE INCOME OF A TAXPAYER THAT BUILDS OR EXPANDS AN INDUSTRIAL FREIGHT RAILROAD INTO AN INDUSTRIAL PARK AND INVESTS AT LEAST TWO MILLION DOLLARS; AND TO AMEND SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT BUILDING MATERIALS NECESSARY TO BUILD OR EXPAND INDUSTRIAL FREIGHT RAILROADS INTO AN INDUSTRIAL PARK IN THIS STATE.

Referred to Committee on Ways and Means

H. 4956 -- Rep. Pitts: A BILL TO AMEND SECTION 16-23-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITIONS ON THE POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO EXEMPT CONCEALED WEAPON PERMIT HOLDERS FROM THESE PROHIBITIONS.

Referred to Committee on Judiciary

H. 4957 -- Reps. Jefferson, Williams, Ott, Anderson, Gilliard, Long, Martin, Henderson-Myers, Bales, Bennett and Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-780 SO AS TO PROVIDE THAT IT IS

THURSDAY, FEBRUARY 15, 2018

UNLAWFUL FOR A PERSON TO WEAR PANTS SAGGING MORE THAN THREE INCHES BELOW HIS ILEUM, TO PROVIDE FOR PENALTIES FOR VIOLATIONS, TO PROVIDE THAT A VIOLATION IS NOT GROUNDS FOR DENYING, SUSPENDING, OR REVOKING THE VIOLATOR'S PARTICIPATION IN A STATE COLLEGE OR UNIVERSITY FINANCIAL ASSISTANCE PROGRAM, AND TO PROVIDE JURISDICTION OF A VIOLATION IS VESTED EXCLUSIVELY IN THE MUNICIPAL COURT OR THE MAGISTRATES COURT.

Referred to Committee on Judiciary

S. 933 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705(D) OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO REDUCE THE CATCH LIMITED FOR RED DRUM.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 955 -- Senators Alexander, Hutto, Setzler, Rankin, Massey and Leatherman: A JOINT RESOLUTION TO DIRECT THE PUBLIC UTILITIES REVIEW COMMITTEE TO RESUME SCREENING CANDIDATES FOR THE PUBLIC SERVICE COMMISSION, SEATS 2, 4, AND 6, AND TO ADVERTISE FOR THESE POSITIONS FOR AN ADDITIONAL TIME PERIOD BEGINNING NO LATER THAN FEBRUARY 16, 2018, THROUGH MARCH 2, 2018, AND TO ACCEPT APPLICATIONS FROM FEBRUARY 22, 2018, THROUGH NOON ON MARCH 5, 2018.

Referred to Committee on Labor, Commerce and Industry

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4617 -- Rep. Delleney: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE DONALD W. BEATTY, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 28, 2018.

[HJ]

THURSDAY, FEBRUARY 15, 2018

ADJOURNMENT

At 12:46 p.m. the House, in accordance with the motion of Rep. CLYBURN, adjourned in memory of Jack Leon Knox, to meet at 10:00 a.m. tomorrow.

THURSDAY, FEBRUARY 15, 2018

H. 3064	40	H. 4705	31
H. 3294	24	H. 4727	9
H. 3345	4	H. 4729	38
H. 3473	4	H. 4807	6
H. 3565	39	H. 4810	5, 50
H. 3595	51	H. 4828	10, 11, 14
H. 3622	54	H. 4836	6, 52
H. 3722	40	H. 4851	6
H. 3819	54	H. 4874	6
H. 3820	49	H. 4875	6
H. 3842	4	H. 4900	27, 28
H. 3847	4	H. 4908	28, 30
H. 4077	4, 14, 15, 24	H. 4931	33
H. 4078	50	H. 4937	55
H. 4272	9	H. 4938	56
H. 4308	4	H. 4939	56
H. 4310	5	H. 4940	57
H. 4377	5, 41, 42, 49	H. 4941	58
H. 4386	5	H. 4942	59
H. 4397	33	H. 4943	59
H. 4411	6	H. 4944	60
H. 4434	50	H. 4945	60, 61
H. 4435	5	H. 4946	62
H. 4465	5	H. 4947	62
H. 4475	31	H. 4948	63
H. 4478	39	H. 4949	63
H. 4479	32	H. 4953	63
H. 4492	55	H. 4954	64
H. 4596	51	H. 4955	64
H. 4617	65	H. 4956	64
H. 4618	25	H. 4957	64
H. 4643	6		
H. 4657	7	S. 6	30
H. 4672	5, 25	S. 6	30
H. 4675	8	S. 105	41
H. 4676	5, 26	S. 885	10
H. 4682	26	S. 933	65
H. 4683	53	S. 955	65
H. 4704	52	S. 992	1