

NO. 44

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

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THURSDAY, APRIL 5, 2018  
(STATEWIDE SESSION)

**Thursday, April 5, 2018**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 147:5: "Great is our God and mighty in power; there is no limit to God's wisdom."

Let us pray. Almighty God, how great You are. Give these Representatives and staff the strength, courage, wisdom and integrity to confront the hard issues set before them. Grant them Your blessings as they work through the agenda of the day. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in this vineyard. 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, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER *PRO TEMPORE*.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER *PRO TEMPORE* ordered it confirmed.

**MOTION ADOPTED**

Rep. TRANTHAM moved that when the House adjourns, it adjourn in memory of Lori Elizabeth Crooke, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 5206 -- Reps. Jefferson, King, Gilliard, Williams, Pendarvis, Kirby, Cobb-Hunter, Howard and Ott: A HOUSE RESOLUTION TO COMMEMORATE THE LIFE OF DENNIS SMALLS AND TO DECLARE APRIL 14, 2018, AS "DENNIS SMALLS DAY" IN SOUTH CAROLINA IN HONOR OF THE LEGACY HE LEAVES BEHIND.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 5207 -- Reprs. D. C. Moss, Atwater, Ballentine, Caskey, Forrest, Huggins, Ott, Spires, Toole, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Bales, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, 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, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR AND COMMEND TROOPER STEVI J. PRICE FOR EARNING THE DISTINCTION OF BEING NAMED TROOPER OF THE YEAR 2017 AND TO EXPRESS GRATITUDE FOR HER UNWAVERING SERVICE TO THE SAFETY OF SOUTH CAROLINA'S CITIZENS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5208 -- Reprs. G. R. Smith, Clemmons, McCravy, Hewitt, Crawford, Chumley, Caskey, Spires, Elliott, Trantham, B. Newton, Bryant, Burns, Arrington, Bannister, Bennett, Crosby, Daning, Forrest, Gagnon, Hamilton, Jordan, Mace, Martin, D. C. Moss, V. S. Moss, W. Newton, Pitts, Putnam, S. Rivers, Thayer, West and Whitmire: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL FOR SIGNIFICANT CONTRIBUTIONS UPON THE OCCASION OF ITS FORTY-FIFTH ANNIVERSARY AND TO CONGRATULATE ITS

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BOARD OF DIRECTORS AND CHIEF EXECUTIVE OFFICER LISA  
B. NELSON.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5209 -- Reps. Henderson-Myers, 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, Dellaney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, 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, 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 WELCOME RENOWNED CHEF AND AUTHOR ALEXANDER SMALLS BACK TO SOUTH CAROLINA AS HE SPEAKS AT "AN EVENING WITH ALEXANDER SMALLS" IN HIS NATIVE SPARTANBURG AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5210 -- Reps. Govan and Allison: A HOUSE RESOLUTION TO HONOR AND CONGRATULATE ANGEL MALONE FOR EARNING THE UNITED STATES DEPARTMENT OF EDUCATION DR. MARTIN LUTHER KING, JR., DRUM MAJOR

[HJ]

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INNOVATION SERVICE AWARD AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5211 -- Rep. Sandifer: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE HONORABLE JOHN WALTER FIELDS OF OCONEE COUNTY, AND EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5212 -- Reps. Daning, 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, 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 GOOSE CREEK COUNCILMEMBER KIMO ESAREY FOR HIS TWENTY YEARS OF DEDICATED SERVICE ON THE GOOSE CREEK CITY COUNCIL AND TO EXTEND BEST WISHES IN ALL HIS FUTURE

[HJ]

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ENDEAVORS AS HE STEPS DOWN FROM HIS COUNCIL DUTIES.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5213 -- Reps. Daning, 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, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DR. MICHAEL J. HEITZLER, MAYOR OF THE CITY OF GOOSE CREEK, FOR HIS FOUR DECADES OF DEDICATED, BENEFICENT, AND OUTSTANDING LEADERSHIP TO THE CITIZENS OF GOOSE CREEK.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5222 -- Rep. Govan: A HOUSE RESOLUTION TO HONOR AND COMMEND CARL DAVID KENNERLY OF ORANGEBURG COUNTY FOR A LIFETIME OF SERVICE AND COMMITMENT TO HIS COMMUNITY AND TO EXPRESS GRATITUDE FOR HIS

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DEDICATION TO FURTHERING THE EDUCATION OF THE CHILDREN OF SOUTH CAROLINA.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5214 -- Reps. Forrest, 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, 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 CONCURRENT RESOLUTION TO RECOGNIZE AND APPLAUD BATESBURG-LEESVILLE ELEMENTARY SCHOOL FOR EARNING THE PRESTIGIOUS HONOR OF BEING NAMED PALMETTO'S FINEST BY THE SOUTH CAROLINA ASSOCIATION OF SCHOOL ADMINISTRATORS AND TO COMMEND THE ADMINISTRATORS, FACULTY, STAFF, AND STUDENTS FOR THE EFFORTS THAT LED TO THIS EXEMPLARY DISTINCTION.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5215 -- Rep. Brown: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME

[HJ]

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THE BRIDGE THAT CROSSES STORE CREEK ALONG SOUTH CAROLINA HIGHWAY 174 IN CHARLESTON COUNTY THE "REVEREND TONY L. DAISE BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THIS DESIGNATION.

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

**INTRODUCTION OF BILLS**

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

H. 5216 -- Rep. Cole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO PROVIDE THAT RETAILERS MAY DELIVER WINE AND BEER FOR OFF-PREMISES CONSUMPTION TO CUSTOMERS WHO HAVE PURCHASED THE WINE OR BEER ONLINE IN ADVANCE OF THE DELIVERY FOR CURBSIDE PICKUP TO THE CUSTOMER'S VEHICLE IF THE VEHICLE IS LOCATED WITHIN A CLEARLY DESIGNATED PICKUP AREA LOCATED ADJACENT TO THE RETAILER'S PLACE OF BUSINESS, TO ESTABLISH REQUIREMENTS RELATED TO THIS PROVISION, AND TO PROVIDE PENALTIES.

Referred to Committee on Judiciary

H. 5217 -- Reprs. Pitts, Hill and Trantham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL CONVENE TO CONSIDER WHETHER TO SECEDE FROM THE UNITED STATES BASED UPON THE FEDERAL GOVERNMENT'S UNCONSTITUTIONAL VIOLATION OF THE SECOND AMENDMENT TO THE UNITED STATES CONSTITUTION IF THE FEDERAL GOVERNMENT CONFISCATES LEGALLY PURCHASED FIREARMS IN THIS STATE.

Referred to Committee on Judiciary

H. 5218 -- Rep. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-790 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL VIDEO GAMES, WHETHER IN PERSON OR ONLINE, IN



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THIS STATE DEPICTING ANY FORM OF GUN VIOLENCE AND TO PROVIDE A FINE FOR A VIOLATION.

Referred to Committee on Judiciary

H. 5219 -- Rep. Pitts: 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 UNLAWFUL FOR A MOVIE THEATRE OPERATOR, OR OTHER PERSON WHO PROFITS FROM THE EXHIBITION OF A MOVIE, TO SHOW A MOVIE IN THIS STATE DEPICTING ANY FORM OF GUN VIOLENCE AND TO PROVIDE A FINE FOR A VIOLATION.

Referred to Committee on Judiciary

H. 5220 -- Reps. Pitts and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-3-21 SO AS TO PROVIDE THAT A MEMBER OF THE GENERAL ASSEMBLY SHALL RECEIVE COMPENSATION ANNUALLY AS DETERMINED BY THE AGENCY HEAD SALARY COMMISSION BASED ON THE AVERAGE SOUTH CAROLINA SALARY, AND TO REQUIRE A REEVALUATION OF THE COMPENSATION EVERY FOUR YEARS.

Referred to Committee on Ways and Means

H. 5221 -- Rep. Felder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO REQUIRE STORES TO CHARGE A MINIMUM OF FIVE CENTS FOR SINGLE-USE CARRYOUT BAGS, TO DEFINE NECESSARY TERMS, TO ESTABLISH CERTAIN RECORD KEEPING REQUIREMENTS, AND TO PROVIDE A PENALTY.

Referred to Committee on Labor, Commerce and Industry

S. 567 -- Senator Sheheen: A BILL TO AMEND SECTION 41-18-30 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF AND EXCEPTIONS TO THE "SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE", TO EXCLUDE OPEN-WHEEL MOTORSPORT VEHICLES, KARTS, SUPER-KARTS, GEARBOX OR SHIFTER-KARTS, OR GO-KARTS USED FOR RACING AT SPEEDS IN EXCESS OF FIFTY MILES PER HOUR.

Referred to Committee on Labor, Commerce and Industry

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S. 802 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-13-225 SO AS TO DEFINE TERMS FOR PURPOSES OF THE OFFENSES OF BREACH OF TRUST WITH FRAUDULENT INTENT AND OBTAINING SIGNATURE OR PROPERTY BY FALSE PRETENSES; AND TO AMEND SECTIONS 16-13-230 AND 16-13-240, RELATING TO BREACH OF TRUST WITH FRAUDULENT INTENT AND OBTAINING SIGNATURE OR PROPERTY BY FALSE PRETENSES, RESPECTIVELY, BOTH SO AS TO FURTHER DEFINE THE ELEMENTS OF THE OFFENSES.

Referred to Committee on Judiciary

S. 810 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-39-165 SO AS TO PROVIDE COUNTIES OR MUNICIPALITIES MAY ENACT ORDINANCES REQUIRING THE PAYMENT OF FEES OR TAXES RELATED TO PAWN TRANSACTIONS OR PURCHASES, AND TO PROVIDE THE PROVISIONS OF CHAPTER 39, TITLE 40 DO NOT AFFECT THE AUTHORITY OF A COUNTY OR MUNICIPALITY TO ESTABLISH LAND USE CONTROLS OR REQUIRE A PAWNBROKER TO OBTAIN A LOCAL OCCUPATIONAL LICENSE; TO AMEND SECTION 40-39-40, AS AMENDED, RELATING TO THE PROHIBITION ON AUTHORIZED PAWNBROKER FEES, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 40-39-70, AS AMENDED, RELATING TO RECORDKEEPING AND MISCELLANEOUS REQUIREMENTS OF PAWNBROKERS, SO AS TO REQUIRE CERTAIN DIGITAL RECORDS AND TO PROVIDE ALL PLEDGED ITEMS MUST BE HELD FOR TWENTY-ONE DAYS; TO AMEND SECTION 40-39-90, RELATING TO RECORDS PAWNBROKERS SHALL MAINTAIN FOR INSPECTION BY CERTAIN PUBLIC OFFICIALS, SO AS TO PROVIDE MUNICIPALITIES OR COUNTY GOVERNMENTS MAY ENACT LOCAL REGULATIONS REQUIRING THE PAWNSHOPS TO PROVIDE OR TRANSFER THE PAWN RECORDS BY ELECTRONIC DATA TRANSFER TO A LAW ENFORCEMENT DATABASE; TO AMEND SECTION 40-39-145, AS AMENDED, RELATING TO HOLD ORDERS, SO AS TO REMOVE THE EXISTING PROVISIONS AND PROVIDE LAW ENFORCEMENT SHALL SEIZE SUSPECTED STOLEN OR MISAPPROPRIATED PROPERTY IN THE POSSESSION OF A PAWN SHOP, TO PROVIDE A PAWNBROKER'S RELEASE OF

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SUCH PROPERTY TO LAW ENFORCEMENT DOES NOT CONSTITUTE WAIVER OF THE PAWNBROKER'S INTEREST IN THE PROPERTY, AND TO PROVIDE PLEDGORS SHALL PAY RESTITUTION FOR STOLEN GOODS PLEDGED TO PAWNBROKERS UPON THE COMPLETION OF RELATED CRIMINAL PROCEEDINGS INVOLVING THE STOLEN PLEDGED PROPERTY; TO AMEND SECTION 40-39-160, RELATING TO PENALTIES FOR VIOLATIONS, SO AS TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS CONCERNING PAWN TICKETS; AND TO REPEAL SECTION 15 OF ACT 262 OF 2016 RELATING TO CERTAIN AUTHORITY OF COUNTIES AND MUNICIPALITIES REGARDING PAWNBROKERS.

Referred to Committee on Labor, Commerce and Industry

S. 918 -- Senators Peeler, Malloy, Hembree and M. B. Matthews: A BILL TO AMEND SECTION 44-53-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE "NARCOTICS AND CONTROLLED SUBSTANCES ACT", SO AS TO ADD A DEFINITION FOR "TARGETED CONTROLLED SUBSTANCE"; TO AMEND SECTION 44-53-360, RELATING TO PRESCRIPTIONS, SO AS TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS WHEN PRESCRIBING NARCOTIC DRUGS, WITH EXCEPTIONS, AND TO ESTABLISH CERTAIN PRESCRIBING LIMITATIONS; BY ADDING SECTION 44-53-1655 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROVIDE PRESCRIPTION REPORTS TO PRACTITIONERS AND TO CONDUCT AUDITS OF THE PRESCRIPTION MONITORING PROGRAM, AND SECTION 44-53-1665 SO AS TO ESTABLISH REPORTING REQUIREMENTS OF THE DEPARTMENT; TO AMEND SECTIONS 44-53-1630, AS AMENDED, 44-53-1640, AS AMENDED, 44-53-1645, 44-53-1650, AND 44-53-1680, AS AMENDED, ALL RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD A DEFINITION FOR "TARGETED CONTROLLED SUBSTANCE", TO REQUIRE DISPENSERS TO SUBMIT ADDITIONAL INFORMATION TO THE PROGRAM AND TO REVIEW PROGRAM DATA BEFORE DISPENSING IN CERTAIN CIRCUMSTANCES, TO CHANGE THE REQUIREMENTS FOR PRACTITIONERS TO REVIEW PRESCRIPTION HISTORY BEFORE PRESCRIBING SELECT CONTROLLED SUBSTANCES, TO ALLOW PRACTITIONERS TO

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OBTAIN PRESCRIPTION REPORTS, AND TO MAKE CONFORMING CHANGES, RESPECTIVELY; AND TO AMEND SECTIONS 40-47-965 AND 40-33-34, BOTH AS AMENDED, RELATING TO PRESCRIPTIVE AUTHORITY OF PHYSICIANS ASSISTANTS AND NURSES, RESPECTIVELY, SO AS TO ADDRESS THE AUTHORITY TO PRESCRIBE NARCOTICS TO CERTAIN PATIENTS.

Referred to Committee on Judiciary

S. 959 -- Senators Corbin, Hembree and Timmons: A BILL TO AMEND SECTION 16-11-770 OF THE 1976 CODE, RELATING TO ILLEGAL GRAFFITI VANDALISM, TO PROVIDE THAT, NOTWITHSTANDING THE PROVISIONS OF SECTIONS 22-3-540, 22-3-545, 22-3-550, AND 14-25-65, A FIRST OFFENSE MAY BE TRIED IN MAGISTRATES OR MUNICIPAL COURT.

Referred to Committee on Judiciary

S. 1144 -- 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 MIDWAY 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.

Referred to Newberry Delegation

**ROLL CALL**

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

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

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

**Total Present--112**

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

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**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Victoria R. Pollard of Columbia was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

Bill Number: H. 3003  
Date: ADD:  
04/05/18 PUTNAM

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**CO-SPONSOR ADDED**

Bill Number: H. 4162  
Date: ADD:  
04/05/18 M. RIVERS

**CO-SPONSORS ADDED**

Bill Number: H. 4421  
Date: ADD:  
04/05/18 LOFTIS, M. RIVERS, COBB-HUNTER and KING

**CO-SPONSOR ADDED**

Bill Number: H. 4815  
Date: ADD:  
04/05/18 KNIGHT

**CO-SPONSORS ADDED**

Bill Number: H. 4913  
Date: ADD:  
04/05/18 MCEACHERN, BOWERS, BRADLEY and GOVAN

**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 of each be changed to that of an Act, and that it be enrolled for ratification:

S. 1126 -- Senator Sheheen: A BILL TO AMEND THE FIRST PARAGRAPH OF SECTION 1 OF ACT 930 OF 1970, AS LAST AMENDED BY ACT 606 OF 1992, RELATING TO THE ELECTION OF MEMBERS OF THE KERSHAW COUNTY SCHOOL BOARD OF TRUSTEES, TO PROVIDE THAT THE ELECTIONS SHALL BE HELD AT THE TIME OF THE GENERAL ELECTION IN APPROPRIATE YEARS.

**SENT TO THE SENATE**

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

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

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AND DUTIES OF THE STUDY COMMITTEE; AND FOR OTHER PURPOSES.

H. 3208 -- Reps. Pope, Elliott, West, Crosby, Bryant, W. Newton, Johnson and Duckworth: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 ENTITLED "TERRORISM", TO PROVIDE FOR THE OFFENSE OF FURTHERING TERRORISM, DEFINE THE ELEMENTS OF THE OFFENSE, AND TO PROVIDE A PENALTY; TO CREATE THE OFFENSE OF MATERIAL OR FINANCIAL SUPPORT OF AN ACT OF TERRORISM OR CONCEALMENT OF THE ACTIONS OR PLANS OF ANOTHER TO CARRY OUT AN ACT OF TERRORISM, DEFINE THE ELEMENTS OF THE OFFENSE, AND TO PROVIDE A PENALTY; AND TO PROVIDE FOR THE SEIZURE AND FORFEITURE OF REAL AND PERSONAL PROPERTY USED IN CONNECTION WITH AN OFFENSE CONTAINED IN THE ARTICLE.

H. 4698 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 40-47-32, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS TO OBTAIN A LICENSE TO PRACTICE MEDICINE IN THE STATE, SO AS TO WAIVE CERTAIN ADDITIONAL EXAMINATION REQUIREMENTS FOR APPLICANTS WHO ARE TO PRACTICE IN A POSITION WITHIN THE DISABILITY DETERMINATION SERVICES UNIT OF THE STATE AGENCY OF VOCATIONAL REHABILITATION.

**H. 3775--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment 1:

H. 3775 -- Reps. Knight, Delleney, Cobb-Hunter, Felder, J. E. Smith, Simrill, Douglas, West, Wheeler, Thigpen, Williams, McEachern, Johnson, Pitts, Ridgeway, Rutherford, Henegan, Collins, Brawley and King: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO ORIGINAL BIRTH CERTIFICATES OF ADOPTED PERSONS, SO AS TO ALLOW AN ADULT ADOPTEE TWENTY-ONE YEARS OF AGE OR OLDER TO OBTAIN A COPY OF THE ADOPTEE'S OWN ORIGINAL BIRTH CERTIFICATE, TO ALLOW A BIOLOGICAL PARENT TO EXECUTE A CONTACT



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PREFERENCE FORM AT ANY TIME TO BE PROVIDED TO THE ADULT ADOPTEE WITH THE COPY OF THE ORIGINAL BIRTH CERTIFICATE, AND TO PROVIDE FOR THE SUBMISSION OF A MEDICAL HISTORY FORM BY A BIOLOGICAL PARENT.

The Medical , Military, Public and Municipal Affairs Committee proposed the following Amendment No. 1 to H. 3775 (COUNCIL\VR\3775C001.NBD.VR18), which was adopted:

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

/ SECTION 1. Section 44-63-140(1) of the 1976 Code is amended to read:

“(1)(a) For a person born in this State, the state registrar shall prepare a supplementary Certificate of Birth in the name of the adoptee, free of any reference to or indication of the fact that the child was adopted and showing the adoptive parents as the ~~real~~ parents, except that an adoption of an adult must display the words ‘By Adoption’ on the face of the amended certificate.

~~The state registrar shall furnish a copy of the amended certificate to the county registrar who shall file the amended certificate in lieu of the copy of the original birth certificate. The state registrar shall require the county registrar to return the copy of the original certificate recorded at the county office to the state office to be placed in the special sealed file. Periodically, the state registrar shall transmit copies of amendatory certificates to the county registrar in the county of birth.~~

(b) The original birth certificate and the evidence of adoption are not subject to inspection, except upon order of a court of competent jurisdiction. However, a person twenty-one years of age or older who was born in the State of South Carolina and who has had his original certificate of birth sealed due to an adoption may, upon written request to the state registrar, receive a copy of his original birth certificate and any evidence of the adoption held with the original record. The copy of the original birth certificate must be in a form that clearly indicates it is not a certified copy and that it may not be used for legal purposes. All procedures, fees, and waiting periods applicable to nonadopted citizens born in the State of South Carolina seeking copies of certificates of birth apply.

(c) The department shall develop a contact preference form and a medical history form to provide to a biological parent upon request to be completed at his option. Upon completion, a contact preference form and a medical history form must be filed with the state registrar and

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accompany an original sealed birth certificate issued to an adoptee pursuant to subitem (b).

(d) The contact preference form must allow the biological parent to indicate whether he has completed or updated a medical history form and must allow the biological parent to choose one of the following contact options and provide contact information as appropriate:

(1) I would like to be contacted.

(2) I would prefer to be contacted only through an intermediary.

(3) I prefer not to be contacted at this time. If I decide later that I would like to be contacted, I will submit an updated contact preference form to the state registrar.

Only department staff authorized to process applications made pursuant to subitem (b) may process contact preference and medical history forms.

(e) The medical history form and contact preference form are confidential communications from the biological parent to the person named on the sealed birth certificate and must be placed in a sealed file upon receipt from the biological parent in the file containing the sealed original birth certificate. The sealed file containing the contact preference form and medical history form must be released to an adoptee requesting the adoptee's own original birth certificate pursuant to subitem (b). The contact preference form and medical history form are private communications from the biological parent to the adoptee named on the sealed birth certificate, and the state registrar shall retain a copy of the forms upon release to the adoptee."

SECTION 2. Immediately upon enactment, the Office of the State Registrar of the Department of Health and Environmental Control shall conduct a public service campaign to inform the public of the provisions of the act, including the right of an adult adoptee age twenty-one years or older to obtain a copy of the adoptee's own original birth certificate and medical history provided by a biological parent and the right of a biological parent to execute a contact preference form indicating whether or not the biological parent would like to have contact with the adult adoptee.

SECTION 3. This act takes effect one year after approval by the Governor and applies only to adoptions finalized after that date. /

Renumber sections to conform.

Amend title to conform.

Rep. RIDGEWAY spoke in favor of the amendment.

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

Reps. RIDGEWAY and KNIGHT proposed the following Amendment No. 2 to H. 3775 (COUNCIL\VR\3775C002.CC.VR18), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-63-140(1)(b) and inserting:

/ (b) The original birth certificate and the evidence of adoption are not subject to inspection, except upon order of a court of competent jurisdiction. However, a person twenty-one years of age or older who was born in the State of South Carolina and who has had his original certificate of birth sealed due to an adoption may, upon written request to the state registrar, receive a copy of his original birth certificate and any evidence of the adoption held with the original record if the biological parent has completed a form consenting to the release of original birth certificate. The form also must allow for the biological parent to indicate contact preference and to consent to release of medical history pursuant to item (1)(c). The copy of the original birth certificate must be in a form that clearly indicates it is not a certified copy and that it may not be used for legal purposes. All procedures, fees, and waiting periods applicable to nonadopted citizens born in the State of South Carolina seeking copies of certificates of birth apply. /

Renumber sections to conform.

Amend title to conform.

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

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brawley	Brown	Bryant

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Burns	Caskey	Clary
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Forrest	Forrester
Fry	Funderburk	Gagnon
Govan	Hamilton	Hardee
Hayes	Henderson	Henderson-Myers
Henegan	Hewitt	Hill
Hosey	Jefferson	Johnson
King	Knight	Loftis
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McEachern	McGinnis	McKnight
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Norrell	Parks
Pendarvis	Pitts	Pope
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	Young

**Total--102**

Those who voted in the negative are:

**Total--0**

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

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**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 3775. If I had been present, I would have voted in favor of the Bill.

Rep. Chip Huggins

**H. 3775--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. RIDGEWAY, with unanimous consent, it was ordered that H. 3775 be read the third time tomorrow.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 4466--INTERRUPTED DEBATE**

The following Bill was taken up:

H. 4466 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-2-3110 SO AS TO PROVIDE THAT A COUNTY MAY ADOPT AN ORDINANCE THAT REGULATES THE OPERATION OF CERTAIN UNLICENSED VEHICLES UPON THE PUBLIC STREETS AND HIGHWAYS WITHIN ITS JURISDICTION WHEN THE VEHICLES ARE OFFERED TO THE PUBLIC FOR RENTAL ON A DAILY, WEEKLY, OR MONTHLY BASIS, AND TO PROVIDE THAT MUNICIPALITIES MAY ADOPT A SIMILAR ORDINANCE IN THE ABSENCE OF COUNTY ORDINANCES.

Rep. CLEMMONS explained the Bill.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of the Bill.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 4466--ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of the Bill:

H. 4466 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-2-

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3110 SO AS TO PROVIDE THAT A COUNTY MAY ADOPT AN ORDINANCE THAT REGULATES THE OPERATION OF CERTAIN UNLICENSED VEHICLES UPON THE PUBLIC STREETS AND HIGHWAYS WITHIN ITS JURISDICTION WHEN THE VEHICLES ARE OFFERED TO THE PUBLIC FOR RENTAL ON A DAILY, WEEKLY, OR MONTHLY BASIS, AND TO PROVIDE THAT MUNICIPALITIES MAY ADOPT A SIMILAR ORDINANCE IN THE ABSENCE OF COUNTY ORDINANCES.

Rep. CLEMMONS 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 99; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Ballentine	Bamberg	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Brown
Bryant	Burns	Caskey
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Erickson	Forrester	Fry
Funderburk	Gagnon	Govan
Hamilton	Hardee	Hayes
Henderson	Henderson-Myers	Henegan
Hewitt	Hill	Hosey
Howard	Jefferson	King
Knight	Loftis	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCravy	McEachern	McGinnis
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks

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Pendarvis	Pitts	Pope
Putnam	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Sandifer
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Young

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 4466. If I had been present, I would have voted in favor of the Bill.

Rep. Chip Huggins

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 4466. If I had been present, I would have voted in favor of the Bill.

Rep. Jason Elliott

**H. 4466--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. CLEMMONS, with unanimous consent, it was ordered that H. 4466 be read the third time tomorrow.

**SPEAKER IN CHAIR**

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**H. 4480--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4480 -- Reps. Taylor, Allison, Jefferson, Cogswell, McCravy, Henderson-Myers, Clary, Tallon, Spires, Toole, Knight and Henegan: A BILL TO AMEND SECTION 56-5-3890, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL USE OF A WIRELESS COMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS, TO REVISE THE CIRCUMSTANCES WHEN IT IS UNLAWFUL TO USE A WIRELESS DEVICE, TO REVISE THE PENALTIES, TO CREATE THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF AN ELECTRONIC DEVICE, TO DELETE THE PROVISION THAT PROHIBITS A LAW ENFORCEMENT OFFICER FROM STOPPING A PERSON FOR A VIOLATION OF THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL MAINTAIN STATISTICAL INFORMATION REGARDING CITATIONS ISSUED PURSUANT TO THIS SECTION; AND TO AMEND SECTION 56-1-720, AS AMENDED, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, SO AS TO PROVIDE THAT DRIVING UNDER THE INFLUENCE OF AN ELECTRONIC DEVICE SECOND OR SUBSEQUENT OFFENSE IS A TWO-POINT VIOLATION.

Reps. LONG, BROWN, LOFTIS, HENDERSON, BURNS, MCCOY, STAVRINAKIS, KING, ANDERSON, MCKNIGHT, MURPHY, D. C. MOSS, WEEKS, CASKEY, HILL, JEFFERSON, WILLIAMS, BAMBERG, YOUNG and CRAWFORD requested debate on the Bill.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 5027--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5027 -- Reps. Pendarvis, McCoy, Rutherford, Bamberg, King, Murphy, McKnight, Bernstein, Stavrinakis, Weeks and Gilliard: A BILL TO AMEND SECTION 56-1-1020, CODE OF LAWS OF SOUTH

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CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERM "HABITUAL OFFENDER", SO AS TO PROVIDE THE SUSPENSION OF A PERSON'S DRIVER'S LICENSE FOR FAILURE TO PAY A TRAFFIC TICKET SHALL NOT CONSTITUTE A CONVICTION OF AN OFFENSE THAT WOULD RESULT IN THE PERSON BEING CONSIDERED AN "HABITUAL OFFENDER".

Rep. PENDARVIS spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

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

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

**Total--103**

Those who voted in the negative are:

**Total--0**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 5027. If I had been present, I would have voted in favor of the Bill.

Rep. Jason Elliott

**H. 5027--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. WEEKS, with unanimous consent, it was ordered that H. 5027 be read the third time tomorrow.

**H. 4799--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4799 -- Reps. Howard, Gilliard, Davis, Brawley and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 45, TITLE 40 ENTITLED THE "PHYSICAL THERAPY LICENSURE COMPACT"; TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTI-STATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; AND TO DESIGNATE THE EXISTING PROVISIONS OF ARTICLE 3, CHAPTER 45, TITLE 40 AS "GENERAL PROVISIONS".

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Rep. PARKS explained the Bill.

Rep. HILL spoke against the Bill.

Rep. LOWE spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 2

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Ballentine	Bamberg	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Brown
Bryant	Burns	Caskey
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Dillard
Douglas	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Govan
Hamilton	Hardee	Hayes
Henderson	Henderson-Myers	Henegan
Hewitt	Hosey	Howard
Huggins	Jefferson	Johnson
King	Knight	Loftis
Long	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
Sandifer	Simrill	G. R. Smith
J. E. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Toole

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Trantham	Weeks	West
Wheeler	White	Whitmire
Williams	Young	

**Total--104**

Those who voted in the negative are:

Hill	Magnuson
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**Total--2**

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

**OBJECTION TO MOTION**

Rep. PARKS asked unanimous consent that H. 4799 be read a third time tomorrow.

Rep. HILL objected.

**H. 4815--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4815 -- Reps. Arrington and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-110, RELATING TO DISCIPLINARY MATTERS, SO AS TO PROVIDE THAT THE FAILURE TO ADHERE TO CERTAIN SUPERVISORY GUIDELINES AMONG THE FORMS OF CONDUCT ARE SUBJECT TO DISCIPLINE; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF

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CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2019, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 4815 (COUNCIL\WAB\4815C001.AGM.WAB18), which was adopted:

Amend the bill, as and if amended, Section 40-67-300, as contained in SECTION 7, by deleting the SECTION in its entirety and inserting:

/ SECTION 7. Section 40-67-300 of the 1976 Code is amended to read:

“Section 40-67-300. This chapter does not apply to:

(1) A speech-language pathologist or audiologist employed by a state or federal agency or a political subdivision of the State before September 1, 2019, while engaged in the discharge of official duties; however, federal and state or political subdivision employees or employees of a political subdivision of the State who are licensed by this board are subject to the provisions of this chapter.

(2) ~~Students~~ A student of speech-language pathology or audiology enrolled in a course of study at an accredited ~~university or college~~ institution of higher learning whose activities constitute a part of the course of study.

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(3) ~~A hearing aid specialists specialist licensed to fit and sell hearing aids pursuant to Chapter 25-; provided, nothing in this chapter is in lieu of or shall, may conflict with, or supersede Chapter 25 and the rights of those licensed under Chapter 25.~~

(4) ~~A registered nurses and nurse, licensed practical nurses nurse, or other certified technicians technician trained to perform audiometric screening tests in industrial operations and whose work is under the supervision of a company physician, otological consultant, or licensed audiologist.~~

(5) ~~A person licensed by the State under this title or any other provision of law whose scope of practice overlaps with the practice of speech language pathology or audiology is not also required to be licensed under this chapter unless the person holds himself out to be a practitioner of speech language pathology or audiology. An educator certified by the State Board of Education, including an educator certified as a speech language therapist who is not licensed as a speech-language pathologist and does not hold a certificate of clinical competence in speech-language pathology (CCC-SLP) credential from the American Speech-Language-Hearing Association (ASHA).” /~~

Renumber sections to conform.

Amend title to conform.

Rep. ARRINGTON explained the amendment.

The amendment was then adopted.

Rep. ARRINGTON explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 1

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bamberg
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brawley
Brown	Bryant	Burns
Caskey	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell

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Cole	Collins	Crawford
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Govan	Hamilton	Hardee
Hayes	Henderson	Henderson-Myers
Henegan	Hewitt	Hosey
Howard	Huggins	Jefferson
Johnson	King	Knight
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McGinnis
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pitts	Pope
Putnam	Ridgeway	M. Rivers
S. Rivers	Robinson-Simpson	Sandifer
Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	Trantham
Weeks	West	Wheeler
White	Whitmire	Williams
Young		

**Total--106**

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.

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**OBJECTION TO MOTION**

Rep. ARRINGTON asked unanimous consent that H. 4815 be read a third time tomorrow.

Rep. HILL objected.

**H. 4162--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4162 -- Reps. Mack, Whipper, Gilliard, Brown, Pendarvis, Henderson-Myers, Brawley, King, Henegan and M. Rivers: 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.

Reps. LONG, MACE, FRY, TOOLE, PITTS, WEST, GAGNON, THAYER, PUTNAM, MCCRAVY and HILL requested debate on the Bill.

**H. 4592--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4592 -- Reps. Allison and Forrester: A BILL TO AMEND ACT 248 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE STARTEX AREA FIRE DISTRICT IN SPARTANBURG COUNTY, SO AS TO INCREASE THE BORROWING LIMITS OF THE DISTRICT FROM FIVE HUNDRED THOUSAND TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS.

Rep. ALLISON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bamberg

[HJ]



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Bennett	Bernstein	Blackwell
Bowers	Bradley	Brown
Bryant	Caskey	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Govan	Hamilton
Hardee	Hayes	Henderson
Henderson-Myers	Henegan	Hewitt
Hosey	Huggins	Jefferson
Johnson	King	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
Robinson-Simpson	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Trantham	Weeks
West	Wheeler	Whitmire
Williams	Young	

**Total--101**

Those who voted in the negative are:

**Total--0**

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

[HJ]

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**H. 4592--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. ALLISON, with unanimous consent, it was ordered that H. 4592 be read the third time tomorrow.

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

**RECURRENCE TO THE MORNING HOUR**

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

**S. 1014--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1014 -- Senators Reese, Peeler, Talley and Martin: A BILL TO AMEND SECTION 44-7-2060 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF A REGIONAL HEALTH SERVICES DISTRICT'S BOARD OF DIRECTORS, TO PROVIDE THAT THE STATE INTEREST SHALL PREVAIL IF A CONFLICT EXISTS BETWEEN THE ANTITRUST LAWS OF THE STATE OR THE UNITED STATES AND THE EXERCISE OF POWER BY A REGIONAL HEALTH SERVICES DISTRICT WITH RESPECT TO THE OWNERSHIP, OPERATION, MANAGEMENT, OR LEASE OF A HOSPITAL, HEALTH CARE FACILITY, OR OTHER EXERCISE OF POWER.

Rep. COLE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Bales	Ballentine
Bamberg	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brawley	Brown	Bryant
Caskey	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford

[HJ]

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Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Govan	Hamilton
Hardee	Henderson	Henderson-Myers
Henegan	Hewitt	Hill
Hosey	Huggins	Jefferson
Johnson	King	Knight
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCray
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
Sandifer	Simrill	J. E. Smith
Sottile	Spire	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	Trantham
Weeks	West	Wheeler
White	Whitmire	Williams
Young		

**Total--100**

Those who voted in the negative are:

**Total--0**

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

**S. 1014--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. COLE, with unanimous consent, it was ordered that S. 1014 be read the third time tomorrow.

[HJ]

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**S. 1101--DEBATE ADJOURNED**

The following Bill was taken up:

S. 1101 -- Senators Young, Hutto and Massey: A BILL TO AMEND ACT 205 OF 2016, RELATING TO AN EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, TO EXTEND THE SUNSET PROVISION TO NOVEMBER 30, 2020.

Rep. DELLENEY moved to adjourn debate on the Bill until Tuesday, April 10, which was agreed to.

**S. 1038--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1038 -- Senators Hutto and J. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-10-390 SO AS TO PROVIDE THAT FOR ANY COUNTY WHICH BEGAN THE REIMPOSITION OF A CAPITAL PROJECTS SALES TAX ON APRIL 1, 2013, AND REIMPOSED THE TAX AT THE 2016 GENERAL ELECTION, THE REIMPOSED TAX THAT COMMENCED ON APRIL 1, 2013, IS EXTENDED UNTIL APRIL 30, 2020, AND THE COMMENCEMENT OF THE TAX THAT WAS REIMPOSED AT THE 2016 GENERAL ELECTION IS DELAYED UNTIL MAY 1, 2020, AND EXPIRES ON APRIL 30, 2027.

Rep. DANING moved to adjourn debate on the Bill until Tuesday, April 10.

Rep. COBB-HUNTER moved to table the motion.

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

Yeas 66; Nays 20

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater

[HJ]

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Bales	Ballentine	Bamberg
Bernstein	Bowers	Brawley
Brown	Bryant	Clary
Clemmons	Clyburn	Cobb-Hunter
Cole	Collins	Dillard
Douglas	Duckworth	Finlay
Forrest	Forrester	Funderburk
Gagnon	Govan	Hardee
Hayes	Henderson-Myers	Henegan
Hewitt	Hosey	Howard
Huggins	Jefferson	Johnson
King	Knight	Mack
McCravy	McEachern	D. C. Moss
V. S. Moss	Murphy	B. Newton
Norrell	Ott	Parks
Pitts	Ridgeway	M. Rivers
Robinson-Simpson	Sottile	Spires
Stavrinakis	Thayer	Thigpen
Toole	Trantham	Weeks
White	Whitmire	Williams

**Total--66**

Those who voted in the negative are:

Bennett	Blackwell	Bradley
Burns	Crosby	Daning
Davis	Elliott	Erickson
Fry	Hamilton	Long
Lowe	Mace	Magnuson
Martin	McGinnis	Putnam
Tallon	Young	

**Total--20**

So, the motion to adjourn debate was tabled.

Rep. COBB-HUNTER explained the Bill.

The question then recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 88; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atwater	Bales
Ballentine	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brawley	Brown	Bryant
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Crawford	Crosby	Daning
Dillard	Douglas	Duckworth
Elliott	Erickson	Forrest
Forrester	Fry	Funderburk
Gagnon	Govan	Hamilton
Hardee	Hayes	Henderson
Henderson-Myers	Henegan	Hewitt
Hosey	Howard	Huggins
Jefferson	Johnson	King
Knight	Long	Lowe
Lucas	Mack	Martin
McCoy	McEachern	McGinnis
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	Ott
Parks	Pendarvis	Pitts
Pope	Putnam	Ridgeway
M. Rivers	Robinson-Simpson	Rutherford
Sandifer	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thigpen	Toole
Trantham	Weeks	West
White	Whitmire	Williams
Young		

**Total--88**

Those who voted in the negative are:

**Total--0**

**THURSDAY, APRIL 5, 2018**

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

**S. 1038--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. COBB-HUNTER, with unanimous consent, it was ordered that S. 1038 be read the third time tomorrow.

**H. 3177--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3177 -- Reps. Clemmons, G. R. Smith, Bedingfield and Huggins:  
A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-31-60 SO AS TO REQUIRE THAT ON THE EFFECTIVE DATE OF THIS ACT RECOGNIZED NATIVE AMERICAN INDIAN GROUPS CONTINUE TO BE RECOGNIZED AND ELIGIBLE TO EXERCISE PRIVILEGES AND OBLIGATIONS AUTHORIZED BY THAT DESIGNATION, THAT THE COMMISSION FOR MINORITY AFFAIRS CEASE TO RECOGNIZE ADDITIONAL NATIVE AMERICAN INDIAN GROUPS, THAT ANY REGULATIONS PROVIDING FOR RECOGNITION AS A NATIVE AMERICAN INDIAN GROUP ARE REPEALED, AND THAT THE COMMISSION REVISE ITS REGULATIONS TO PROVIDE FOR THE PRIVILEGES AND OBLIGATIONS OF NATIVE AMERICAN INDIAN GROUPS THAT CONTINUE TO BE RECOGNIZED.

Rep. CLEMMONS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Brown
Bryant	Burns	Caskey
Clary	Clemmons	Clyburn
Cobb-Hunter	Collins	Crawford
Crosby	Daning	Davis

[HJ]

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Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Forrest	Forrester
Fry	Funderburk	Gagnon
Govan	Hamilton	Hardee
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hosey
Howard	Huggins	Jefferson
Johnson	King	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
Pitts	Pope	Putnam
Ridgeway	M. Rivers	S. Rivers
Robinson-Simpson	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Young

**Total--102**

Those who voted in the negative are:

**Total--0**

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

**H. 3177--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. CLEMMONS, with unanimous consent, it was ordered that H. 3177 be read the third time tomorrow.



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**LEAVE OF ABSENCE**

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

**H. 4913--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4913 -- Reps. M. Rivers, Herbkersman, W. Newton, J. E. Smith, Cobb-Hunter, Gilliard, Bamberg, Thigpen, Kirby, Hosey, Williams, Henegan, Alexander, Weeks, Jefferson, Robinson-Simpson, Caskey, Brown, Dillard, Hart, Howard, Murphy, Pendarvis, Erickson, McEachern, Bowers, Bradley and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-220 SO AS TO DESIGNATE THE SECOND SATURDAY OF NOVEMBER OF EACH YEAR AS "PENN CENTER HERITAGE DAY" IN SOUTH CAROLINA.

Rep. M. RIVERS explained the Bill.

Rep. ERICKSON spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atwater	Bales
Ballentine	Bennett	Bernstein
Blackwell	Bowers	Bradley
Brawley	Brown	Burns
Caskey	Clary	Clemmons
Clyburn	Cobb-Hunter	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Govan	Hamilton	Hardee
Hayes	Henderson	Henderson-Myers
Henegan	Hosey	Howard

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Huggins	Jefferson	Johnson
King	Knight	Loftis
Long	Lowe	Lucas
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	Sandifer
Simrill	G. M. Smith	J. E. Smith
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	Williams	Young

**Total--96**

Those who voted in the negative are:

**Total--0**

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

**H. 4913--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. M. RIVERS, with unanimous consent, it was ordered that H. 4913 be read the third time tomorrow.

**H. 4486--REQUESTS FOR DEBATE WITHDRAWN AND  
ORDERED TO THIRD READING**

Upon the withdrawal of requests for debate by Reps. ATWATER, DANING, TRANTHAM, TOOLE, CRAWFORD, FRY, HEWITT and LONG, the following Bill was taken up:

H. 4486 -- Reps. Henderson, Elliott, W. Newton, Govan, Erickson and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "RECOGNITION OF EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT ACT" BY ADDING ARTICLE 7 TO

[HJ]

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CHAPTER 61, TITLE 44 SO AS TO AUTHORIZE THE STATE OF SOUTH CAROLINA TO JOIN THE RECOGNITION OF EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT IN ORDER TO FACILITATE THE DAY-TO-DAY MOVEMENT OF EMERGENCY MEDICAL SERVICES (EMS) PERSONNEL ACROSS STATE BOUNDARIES IN THE PERFORMANCE OF THEIR ASSIGNED EMS DUTIES AND TO AFFORD IMMEDIATE LEGAL RECOGNITION TO EMS PERSONNEL IN A MEMBER STATE; TO ESTABLISH CERTAIN EMS LICENSURE REQUIREMENTS UNDER THE COMPACT; TO PROVIDE FOR THE PRIVILEGE OF EMS PERSONNEL TO PRACTICE IN ANOTHER MEMBER STATE AND IN REMOTE STATES, WITH EXCEPTIONS, AND TO ESTABLISH CERTAIN LIMITATIONS ON THE APPLICATION OF THE COMPACT DURING A STATE OF EMERGENCY; TO PROVIDE CERTAIN LIMITATIONS ON THE PRIVILEGE TO PRACTICE UNDER THE COMPACT WHEN AN INDIVIDUAL'S LICENSE IS SUSPENDED OR OTHERWISE RESTRICTED AND TO ENABLE A MEMBER STATE TO TAKE ADVERSE ACTIONS AGAINST AN INDIVIDUAL'S LICENSE IN CERTAIN CIRCUMSTANCES; TO GRANT CERTAIN POWERS TO THE STATE'S EMS AUTHORITY; TO ESTABLISH THE INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND AUTHORITY; TO PROVIDE FOR ENFORCEMENT OF THE COMPACT BY MEMBER STATES AND FOR DISPUTE RESOLUTION; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-61-20, RELATING TO TERMS DEFINED IN THE "EMERGENCY MEDICAL SERVICES ACT OF SOUTH CAROLINA", SO AS TO CHANGE THE DEFINITION OF "INVESTIGATIVE REVIEW COMMITTEE".

Rep. HENDERSON spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 2

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bennett	Bernstein	Blackwell

[HJ]

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Bowers	Bradley	Brawley
Brown	Bryant	Burns
Caskey	Clary	Clemmons
Clyburn	Cobb-Hunter	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Funderburk	Gagnon	Govan
Hamilton	Hardee	Hayes
Henderson	Henderson-Myers	Henegan
Hewitt	Hosey	Howard
Huggins	Jefferson	Johnson
King	Knight	Long
Lowe	Lucas	Mace
Mack	Martin	McCoy
McCrary	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	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Toole	Trantham
Weeks	West	Wheeler
White	Whitmire	Williams
Young		

**Total--103**

Those who voted in the negative are:

Hill                      Magnuson

**Total--2**

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

[HJ]

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**H. 4486--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. HENDERSON, with unanimous consent, it was ordered that H. 4486 be read the third time tomorrow.

**H. 4182--REQUEST FOR DEBATE WITHDRAWN**

Rep. KNIGHT withdrew her request for debate on H. 4182; however, other requests for debate remained on the Bill.

**S. 340--DEBATE ADJOURNED ON MOTION TO  
RECONSIDER**

Rep. SIMRILL moved to adjourn debate on the motion to reconsider until Tuesday, April 10, which was agreed to.

**H. 5145--RECALLED FROM COMMITTEE ON EDUCATION  
AND PUBLIC WORKS**

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

H. 5145 -- Reps. Johnson, Duckworth, Fry, Yow, McGinnis, Hewitt, Hardee, Clemmons and Crawford: A BILL TO AMEND SECTION 56-1-15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMINISTRATION OF THE DRIVER'S LICENSE EXAMINATION BY PERSONS, CORPORATIONS, OR GOVERNMENTAL SUBDIVISIONS UNDER CONTRACT WITH THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST ENTER INTO CONTRACTS WITH THE UNITED STATES DEPARTMENT OF DEFENSE TO OFFER THIS SERVICE TO CERTAIN INDIVIDUALS.

**H. 4815--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. HILL, with unanimous consent, it was ordered that H. 4815 be read the third time tomorrow.

**OBJECTION TO RECALL**

Rep. G. R. SMITH asked unanimous consent to recall H. 4859 from the Committee on Ways and Means.

Rep. KING objected.

[HJ]

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**OBJECTION TO RECALL**

Rep. G. M. SMITH asked unanimous consent to recall H. 3615 from the Committee on Judiciary.

Rep. LOFTIS objected.

**OBJECTION TO RECALL**

Rep. GOVAN asked unanimous consent to recall H. 4804 from the Committee on Judiciary.

Rep. DELLENEY objected.

**SENT TO THE SENATE**

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

H. 3622 -- Reps. Ryhal, Burns, Duckworth, Gagnon, Henegan, Herbkersman, Hill, Hixon, Johnson, V. S. Moss, Ridgeway, Spires, Taylor, Thayer, Yow, Robinson-Simpson, Magnuson, Long and Thigpen: 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.

H. 4971 -- Reps. Hixon, McCoy, Hewitt, Kirby, Forrest, Yow and Blackwell: A BILL TO AMEND SECTION 50-5-1705, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH

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LIMITS FOR ESTUARINE AND SALTWATER FINFISH, SO AS TO REDUCE THE CATCH LIMIT FOR RED DRUM.

H. 4701 -- Reps. S. Rivers, King, Allison, Gilliard, Henderson-Myers and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "B.P. ACT"; TO AMEND SECTION 59-63-140, RELATING TO BULLYING PROHIBITION POLICIES ADOPTED BY SCHOOL DISTRICTS, SO AS TO PROVIDE PROCEDURES FOR RESPONDING TO AND REMEDIATING ALLEGATIONS OF BULLYING, AND TO REQUIRE AN APPEALS PROCEDURE.

H. 4403 -- Reps. Pope, Clyburn and Bryant: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

H. 3896 -- Reps. Duckworth, Kirby, Johnson, Hardee, Hosey, Crosby, Arrington, Daning, V. S. Moss, Elliott, Bales, Bannister, Bennett, Dillard, Hamilton, Willis, Murphy, Stavrinakis, McCoy, McGinnis, Hewitt, Jefferson, Williams, McEachern, W. Newton and Clary: A BILL TO AMEND SECTION 4-9-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF A COUNTY GOVERNMENT, SO AS TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO ADOPT BY ORDINANCE THE REQUIREMENT THAT A RESIDENTIAL OR COMMERCIAL PROPERTY OWNER SHALL KEEP A LOT OR OTHER PROPERTY CLEAN AND FREE OF RUBBISH AND TO PROVIDE A PROCEDURE FOR ENFORCEMENT OF THE ORDINANCE.

**H. 5140--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5140 -- Reps. Lucas and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA FERRY ROAD IN DARLINGTON COUNTY FROM WILSON CLINIC TO ITS INTERSECTION WITH COGGESHALL ROAD "JAMES

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'JIMMY' MCKELVEY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5141--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5141 -- Reps. Clary, Collins and Hiott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 123 AND SOUTH CAROLINA HIGHWAY 93 IN PICKENS COUNTY "DR. B.R. SKELTON INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 835--ADOPTED AND RETURNED TO THE SENATE  
WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 835 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF GLENN'S BAY ROAD AND UNITED STATES HIGHWAY 17 BYPASS IN HORRY COUNTY "GAVIN BRUNETTI INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

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

**MOTION PERIOD**

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

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. SPIRES a leave of absence for the remainder of the day.

[HJ]



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**H. 5045--CONTINUED**

The following Bill was taken up:

H. 5045 -- Reps. Sandifer, White and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING CHAPTERS 39 AND 40 OF TITLE 58 RELATING TO THE SOUTH CAROLINA DISTRIBUTED ENERGY RESOURCE PROGRAM AND NET ENERGY METERING, RESPECTIVELY.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 5045 (COUNCIL\ZW\5045C001.GGS.ZW18):

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

/ SECTION 1. Whereas, the General Assembly passed Act 236 of 2014 to promote the establishment of a reliable, efficient, and diversified portfolio of distributed energy resources for the State; and

Whereas, the General Assembly finds that Act 236 of 2014 successfully resulted in the rapid development and expansion of the solar power marketplace in this State; and

Whereas, the General Assembly finds it necessary to preserve the important role of the emerging solar industry as it becomes sustainable, without subsidies, in our diversifying energy market; and

Whereas, the Public Service Commission approved in Order 2015-194 a settlement agreement that provides for a 1:1 kilowatt hour (“kWh”) crediting rate (“1:1 Rate”) whereby each kWh of electricity produced by a customer-generator is credited at the full retail rate; and,

Whereas, the General Assembly finds that Order 2015-194 contradicts Act 236 of 2014 by crediting electricity produced by a customer-generator at the retail rate as opposed to the utility’s avoided cost provided for in Act 236 of 2014; and

Whereas, the General Assembly finds that with the goal of Act 236 of 2014 being accomplished, it is necessary to move away from subsidies so that nonparticipants in net energy metering programs are not required to subsidize net energy metering program participants.

SECTION 2. Section 58-40-10 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“(C) ‘Avoided costs’ means payments for purchases of electricity made according to an electrical utility’s most recently approved or established avoided cost rates in this State or rates negotiated pursuant to PURPA in the year the costs are incurred, for purchases of electricity

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from qualifying facilities pursuant to Section 210 of the Public Utility Regulatory Policies Act, the costs are to be calculated as set forth in Section 58-39-140(A)(1).”

SECTION 3. Section 58-40-20 of the 1976 Code is amended to read:

“Section 58-40-20. (A) Net energy metering rates approved by the commission under the terms of this chapter ~~shall~~ must be the exclusive net energy metering rates available to customer-generators. Upon commission approval, ~~such~~ the net energy metering rates shall supersede all prior net energy metering rates. Customer-generators whose net energy metering facilities were energized prior to the availability of net energy metering rates approved by the commission under the terms of this chapter may remain in historic net energy metering programs through December 31, 2020. Customer-generators whose net metering facilities were energized prior to the effective date of this act under net energy metering rates approved by the commission pursuant to the terms of this chapter and in Order 2015-194 may remain in effect through December 31, 2025.

(B) An electrical utility shall make net energy metering available to customer-generators on a first-come, first-served basis until the total nameplate generating capacity of net energy metering systems equals ~~two~~ four percent of the previous five-year average of the electrical utility’s South Carolina retail peak demand. No electrical utility ~~shall~~ must be required to approve ~~any~~ an application for interconnection from net energy metering customer-generators if the total rated generating capacity of all applications for interconnection from net energy metering customer-generators already approved to date by the electrical utility equals or exceeds ~~two~~ four percent of the previous five-year average of the electrical utility’s South Carolina retail peak demand.

(C) If determined to be prudent by the commission, the electrical utility may furnish, install, own, and maintain metering equipment needed to measure the kilowatt-hours purchased by the customer-generator from the utility, the kilowatt-hours generated or delivered to the electrical utility, and, if applicable under the utility’s tariffs, to measure the kilowatt demand delivered by the electrical utility to the customer-generator. The electrical utility ~~shall have~~ has the right to install special metering and load research devices on the customer-generator’s equipment and the right to use the customer-generator’s communication devices for communication with electrical utility’s and the customer-generator’s equipment.

(D) The net electrical energy measurement ~~shall~~ must be calculated in the following manner:

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(1) For a customer-generator, an electrical utility shall measure the net electrical energy produced or consumed during the billing period in accordance with normal metering practices for customers in the same rate class, either by employing a single, bidirectional meter that measures the amount of electrical energy produced and consumed, or by employing multiple meters that separately measure the customer-generator's consumption and production of electricity; Each kilowatt-hour of electricity generated by the customer-generator must be valued, accounted for, and credited at the utility's avoided cost;

(2) If the electricity supplied by the electrical utility exceeds the electricity generated by the customer-generator during a billing period, the customer-generator ~~shall~~ must be billed for the net electricity supplied by the electrical utility in accordance with normal practices for customers in the same rate class;

(3) Any energy generated by the customer-generator that exceeds the energy supplied by the electrical utility during a billing period ~~shall~~ must not be used to offset the nonvolumetric electricity charges for that billing period;

(4) The utility shall maintain an account of any net excess kWh credits accruing from the customer-generator's excess generation and allow those kWh credits to be used to offset the customer-generator's energy usage during future billing periods at the utility's avoided cost. Annually, the utility shall pay the customer-generator for any accrued net excess generation at the utility's avoided cost for qualified facilities, zeroing out the customer-generator's account of net excess kWh credits.

(E) Each electrical utility shall submit an annual net metering report to the Public Service Commission, with a copy to the Office of Regulatory Staff, including the following information for the previous calendar year:

(1) the total number of customer-generator facilities;

(2) the estimated gross generating capacity of its net-metered customer-generators;

(3) the estimated net kilowatt hours received from customer-generators.

(F) Any and all costs prudently incurred pursuant to the provisions of this chapter by an electrical utility as approved by the commission and any and all commission approved benefits conferred by a customer-generator ~~shall~~ must be recoverable by each entity respectively in the electrical utility's rates in accordance with these provisions:

(1) The electrical utility's general rates, tariffs, and any additional monthly charges or credits, in addition to any other charges or

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credits authorized by law, to recover the costs and confer the benefits of net energy metering shall include ~~such~~ the measures necessary to ensure that the electrical utility recovers its cost of providing electrical service to customer-generators and customers who are not customer-generators.

(2) Any charges or credits prescribed in item (1), and the terms and conditions under which they may be assessed ~~shall~~ must be in accordance with a methodology established through the proceeding described in item (4). The methodology ~~shall~~ must be supported by an analysis and calculation of the relative benefits and costs of customer generation to the electrical utility, the customer-generators, and those customers of the electrical utility ~~that~~ who are not customer-generators.

(3) Upon approval of the methodology provided for in item (4), each electrical utility shall file its analysis of the net cost to serve customer-generators using the approved methodology and shall propose new net energy metering rates.

(4) No later than thirty days after the enactment of this act, the commission shall initiate a generic proceeding for purposes of implementing the requirements of this chapter with respect to the net energy metering rates, tariffs, charges, and credits of electrical utilities, specifically to establish the methodology to set any necessary charges and credits as required under items (1) and (2). All interested parties ~~shall~~ must be allowed to participate. In its notice initiating ~~such~~ the proceeding, the commission must require the electrical utilities to propose methodologies required by item (1) and shall allow intervening parties to propose methodologies required by item (2). The Office of Regulatory Staff, pursuant to the requirements of Section 58-4-50, shall represent the public interest in this proceeding and shall serve as a facilitator to resolve disputes and issues between the parties to this proceeding.

(5) In evaluating the benefits and costs of customer generation as required by item (2), and the methodology for calculating ~~such~~ the benefits and costs, the Office of Regulatory Staff may engage third parties with relevant prior experience conducting distributed generation cost-benefit studies. The cost of any experts and consultants engaged by the Office of Regulatory Staff for purposes of this proceeding ~~shall~~ must be assessed to the electrical utilities pro rata based on their five-year average of retail peak demand and ~~shall be~~ are recoverable by those electrical utilities through the base rate for fuel costs established pursuant to Section 58-27-865.

(6) In the event ~~that~~ the commission determines that future benefits from net energy metering are properly reflected in net metering

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rates because they provide quantifiable benefits to the utility system, its customers, or both, and to the degree ~~such~~ these benefits then are not ~~then~~ being recovered by the electrical utility in its base rates, then ~~such~~ the future benefits ~~shall~~ must be deemed an avoided cost and ~~shall be~~ are recoverable pursuant to Section 58-27-865 by the electrical utility as an incremental cost of the distributed energy resource program.

(7) Notwithstanding another provision of law, customers of the utility who are not customer-generators are not required to subsidize the costs of customer-generators.

(G) In no event shall the net energy metering provisions of this chapter be construed as allowing customer-generators to engage in meter aggregation, group/joint billing projects, and/or virtual net metering.

(H) The commission shall approve an electrical utility's proposed net energy metering rates that meet the requirements of this chapter, provided ~~that~~ the commission has previously approved that electrical utility's application to participate in a distributed energy resource program pursuant to Chapter 39, Title 58."

SECTION 4. Chapter 40, Title 58 of the 1976 Code is amended by adding:

"Section 58-40-30. The Public Service Commission is prohibited from approving a settlement agreement, or otherwise issuing an order, that would require or authorize the value of electricity produced by customer-generators to be calculated at anything other than the utility's avoided cost."

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

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

Rep. FORRESTER proposed the following Amendment No. 3 to H. 5045 (COUNCIL\ZW\5045C005.GGS.ZW18):

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

/ SECTION 1. Chapter 40, Title 58 of the 1976 Code is amended by adding:

"Section 58-40-30. (A) There is created the 'Renewable Energy Development Joint Study Committee' to support the development of renewable energy resources and production facilities to generate

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electricity. The study committee specifically shall investigate, examine, and develop appropriate recommendations addressing:

(1) ratemaking methodologies, cost allocations, and rate designs for all retail electric customers in South Carolina;

(2) strategies for ensuring the fairest allocation of system costs and benefits related to renewable energy resources and Act 236 of 2014 between consumers, including consumers who either do or do not utilize distributed energy resources;

(3) strategies to build upon the successful deployment of renewable energy generating capacity through the South Carolina Distributed Resource Act and to continue enabling market-driven, private investment in distributed energy resources across the State by reducing regulatory and administrative burdens to customer installation and utilization of onsite distributed energy resources;

(4) the current status of the progress and implementation of Act 236 of 2014 and strategies to enhance the act's progress and success; and

(5) job retention and growth in the renewable energy industry.

(B) The study committee must be composed of the following members:

(1) one member of the House of Representatives appointed by the Speaker of the House of Representatives;

(2) one member of the House of Representatives appointed by the majority leader of the House of Representatives;

(3) one member of the House of Representatives appointed by the minority leader of the House of Representatives;

(4) one member of the Senate appointed by the President *Pro Tempore* of the Senate;

(5) one member of the Senate appointed by the majority leader of the Senate;

(6) one member of the Senate appointed by the minority leader of the Senate;

(7) one member representing each of the following organizations to be appointed by the Governor:

South Carolina Public Service Authority

Central Electric Power Cooperative, Inc.

The Electric Cooperatives of South Carolina, Inc.

South Carolina Small Business Chamber of Commerce

South Carolina Chamber of Commerce

South Carolina Manufacturing Alliance

Nucor Steel

Solbridge Energy, LLC

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South Carolina Coastal Conservation League  
South Carolina Solar Business Alliance, LLC  
Southern Alliance for Clean Energy  
Sustainable Energy Solutions, LLC  
The Alliance for Solar Choice  
South Carolina Electric & Gas Company  
Duke Energy Carolinas, LLC  
Duke Energy Progress, Inc.  
South Carolina Office of Regulatory Staff  
Sierra Club  
Sunrun Solar  
South Carolina Energy Users Committee  
Wal-Mart Stores East, LP and Sam's East, Inc.  
Municipal Association of South Carolina  
South Carolina Association of Counties  
Conservation Voters of South Carolina  
South Carolina Appleseed Legal Justice Center  
Southern Environmental Law Center  
South Carolina Department of Health and Environmental Control

the study committee must be cochaired by the appointee of the President *Pro Tempore* of the Senate and the appointee of the Speaker of the House of Representatives. The study committee shall conduct its meetings at places and times it deems necessary to enable it to perform its duties and accomplish its objectives and purposes. the study committee may request administrative assistance from staffs of the House of Representatives Labor, Commerce and Industry Committee and the Senate Judiciary Committee. the members of the study committee shall serve without compensation, and service on the committee does not constitute an office for purposes of the South Carolina Constitution's prohibition against dual officeholding.

(C) The study committee shall prepare a report for the General Assembly that sets forth its findings and recommendations. The study committee shall deliver copies of its report to the Speaker of the House of Representatives and to the President *Pro Tempore* of the Senate no later than January 8, 2019, at which time the study committee is dissolved.”

SECTION 2. Section 58-40-20(B) of the 1976 Code is amended to read:

“(B) An electrical utility shall make net energy metering available to customer-generators on a first-come, first-served basis until the total nameplate generating capacity of net energy metering systems equals

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~~two~~ four percent of the previous five-year average of the electrical utility's South Carolina retail peak demand. No electrical utility ~~shall~~ must be required to approve ~~any~~ an application for interconnection from net energy metering customer-generators if the total rated generating capacity of all applications for interconnection from net energy metering customer-generators already approved to date by the electrical utility equals or exceeds ~~two~~ four percent of the previous five-year average of the electrical utility's South Carolina retail peak demand."

SECTION 3. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

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

Rep. FORRESTER proposed the following Amendment No. 4 to H. 5045 (COUNCIL/WAB\5045C001.AGM.WAB18), which was rejected:

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

/ SECTION 1. Chapter 40, Title 58 of the 1976 Code is amended by adding:

"Section 58-40-30. (A) There is created the 'Renewable Energy Development Joint Study Committee' to support the development of renewable energy resources and production facilities to generate electricity. The study committee specifically shall investigate, examine, and develop appropriate recommendations addressing:

(1) ratemaking methodologies, cost allocations, and rate designs for all retail electric customers in South Carolina;

(2) strategies for ensuring the fairest allocation of system costs and benefits related to renewable energy resources and Act 236 of 2014 between consumers, including consumers who either do or do not utilize distributed energy resources;

(3) strategies to build upon the successful deployment of renewable energy generating capacity through the South Carolina Distributed Resource Act and to continue enabling market-driven, private investment in distributed energy resources across the State by reducing regulatory and administrative burdens to customer installation and utilization of onsite distributed energy resources;

(4) the current status of the progress and implementation of Act 236 of 2014 and strategies to enhance the act's progress and success; and



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(5) job retention and growth in the renewable energy industry.

(B) The study committee must be composed of the following members:

(1) one member of the House of Representatives appointed by the Speaker of the House of Representatives;

(2) one member of the House of Representatives appointed by the majority leader of the House of Representatives;

(3) one member of the House of Representatives appointed by the minority leader of the House of Representatives;

(4) one member of the Senate appointed by the President *Pro Tempore* of the Senate;

(5) one member of the Senate appointed by the majority leader of the Senate;

(6) one member of the Senate appointed by the minority leader of the Senate;

(7) one member representing each of the following organizations to be appointed by the Governor:

- South Carolina Public Service Authority
- Central Electric Power Cooperative, Inc.
- The Electric Cooperatives of South Carolina, Inc.
- South Carolina Small Business Chamber of Commerce
- South Carolina Chamber of Commerce
- South Carolina Manufacturing Alliance
- Nucor Steel
- Solbridge Energy, LLC
- South Carolina Coastal Conservation League
- South Carolina Solar Business Alliance, LLC
- Southern Alliance for Clean Energy
- Sustainable Energy Solutions, LLC
- The Alliance for Solar Choice
- South Carolina Electric & Gas Company
- Duke Energy Carolinas, LLC
- Duke Energy Progress, Inc.
- South Carolina Office of Regulatory Staff
- Sierra Club
- Sunrun Solar
- South Carolina Energy Users Committee
- Wal-Mart Stores East, LP and Sam's East, Inc.
- Municipal Association of South Carolina
- South Carolina Association of Counties
- Conservation Voters of South Carolina

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South Carolina Appleseed Legal Justice Center  
Southern Environmental Law Center  
South Carolina Department of Health and Environmental Control  
Vote Solar  
Solar Energy Industry Association  
South Carolina Farm Bureau

(C) The study committee must be cochaired by the appointee of the President *Pro Tempore* of the Senate and the appointee of the Speaker of the House of Representatives. The study committee shall conduct its meetings at places and times it deems necessary to enable it to perform its duties and accomplish its objectives and purposes. the study committee may request administrative assistance from staffs of the House of Representatives Labor, Commerce and Industry Committee and the Senate Judiciary Committee. the members of the study committee shall serve without compensation, and service on the committee does not constitute an office for purposes of the South Carolina Constitution's prohibition against dual officeholding.

(D) The study committee shall prepare a report for the General Assembly that sets forth its findings and recommendations. The study committee shall deliver copies of its report to the Speaker of the House of Representatives and to the President *Pro Tempore* of the Senate no later than January 8, 2019, at which time the study committee is dissolved.”

SECTION 2. Section 58-40-20(B) of the 1976 Code is amended to read:

“(B) An electrical utility shall make net energy metering available to customer-generators on a first-come, first-served basis until the total nameplate generating capacity of net energy metering systems equals ~~two~~ four percent of the previous five-year average of the electrical utility's South Carolina retail peak demand. No electrical utility ~~shall~~ must be required to approve ~~any~~ an application for interconnection from net energy metering customer-generators if the total rated generating capacity of all applications for interconnection from net energy metering customer-generators already approved to date by the electrical utility equals or exceeds ~~two~~ four percent of the previous five-year average of the electrical utility's South Carolina retail peak demand.”

SECTION 3. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Rep. FORRESTER explained the amendment.

[HJ]

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Rep. J. E. SMITH spoke against the amendment.

Rep. J. E. SMITH moved to table the amendment.

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

Yeas 48; Nays 53

Those who voted in the affirmative are:

Alexander	Anthony	Atkinson
Bales	Ballentine	Bamberg
Bernstein	Bradley	Brawley
Brown	Caskey	Clary
Clyburn	Cobb-Hunter	Dillard
Douglas	Erickson	Funderburk
Govan	Henderson-Myers	Henegan
Hosey	Howard	Huggins
King	Knight	Loftis
Mack	McCoy	McEachern
McKnight	D. C. Moss	Murphy
W. Newton	Norrell	Ott
Parks	Pendarvis	Ridgeway
M. Rivers	Robinson-Simpson	G. M. Smith
J. E. Smith	Stavrinakis	Thigpen
Weeks	Wheeler	Williams

**Total--48**

Those who voted in the negative are:

Allison	Anderson	Arrington
Atwater	Bennett	Blackwell
Bowers	Bryant	Burns
Clemmons	Cole	Collins
Crawford	Crosby	Daning
Davis	Duckworth	Elliott
Felder	Forrest	Forrester
Fry	Gagnon	Hamilton
Hayes	Henderson	Hill
Jefferson	Johnson	Long
Lucas	Mace	Martin
McCravy	McGinnis	B. Newton

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Pitts	Pope	Putnam
S. Rivers	Sandifer	Simrill
G. R. Smith	Sottile	Tallon
Taylor	Thayer	Toole
Trantham	West	White
Whitmire	Young	

**Total--53**

So, the House refused to table the amendment.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. MAGNUSON a leave of absence for the remainder of the day.

Rep. STAVRINAKIS spoke against the amendment.  
Rep. BALLENTINE spoke against the amendment.  
Rep. CROSBY spoke upon the amendment.  
Rep. FORRESTER spoke in favor of the amendment.  
Rep. CLARY spoke against the amendment.  
Rep. CASKEY spoke against the amendment.  
Rep. WILLIAMS spoke against the amendment.  
Rep. J. E. SMITH spoke against the amendment.  
Rep. SANDIFER spoke in favor of the amendment.

The question then recurred to the adoption of the amendment.

The amendment was rejected.

Rep. FORRESTER moved to reconsider the vote whereby Amendment No. 4 was rejected.

**POINT OF ORDER**

Rep. J. E. SMITH raised the Point of Order that the Rep. FORRESTER's motion to reconsider the vote whereby Amendment No. 4 was rejected was out of order.

Rep. J. E. SMITH stated that Rep. FORRESTER did not vote on the prevailing side.

SPEAKER *PRO TEMPORE* inquired of Rep. FORRESTER as to whether he had voted on the prevailing side and Rep. FORRESTER stated that he had not voted on the prevailing side.

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The SPEAKER *PRO TEMPORE* sustained Rep. J. E. SMITH's Point of Order and ruled that Rep. FORRESTER's motion to reconsider was out of order.

Rep. J. E. SMITH moved to recommit the Bill to the Committee on Labor, Commerce and Industry.

Rep. FORRESTER moved to table the motion.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 51; Nays 50

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Atwater	Bennett	Blackwell
Bowers	Bryant	Burns
Clemmons	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Duckworth
Elliott	Felder	Forrest
Forrester	Fry	Gagnon
Hamilton	Hayes	Henderson
Jefferson	Johnson	Long
Lucas	Martin	McCrary
McGinnis	D. C. Moss	B. Newton
Pitts	Pope	Putnam
S. Rivers	Sandifer	Simrill
G. M. Smith	G. R. Smith	Tallon
Taylor	Thayer	West
White	Whitmire	Young

**Total--51**

Those who voted in the negative are:

Alexander	Anthony	Arrington
Bales	Ballentine	Bamberg
Bernstein	Bradley	Brawley
Brown	Caskey	Clary
Clyburn	Cobb-Hunter	Dillard
Douglas	Erickson	Funderburk

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Govan	Henderson-Myers	Henegan
Hill	Hosey	Howard
Huggins	King	Knight
Loftis	Mace	Mack
McCoy	McEachern	McKnight
Murphy	W. Newton	Norrell
Ott	Parks	Pendarvis
Ridgeway	M. Rivers	Robinson-Simpson
J. E. Smith	Sottile	Stavrinakis
Thigpen	Toole	Trantham
Weeks	Williams	

**Total--50**

So, the motion to recommit the Bill was tabled.

Rep. HAMILTON moved to reconsider the vote whereby Amendment No. 4 was rejected.

**PARLIAMENTARY INQUIRY**

Rep. COBB-HUNTER made a Parliamentary Inquiry regarding Amendment No. 4 to H. 5045.

Rep. COBB-HUNTER inquired as to whether Rep. HAMILTON had voted on the prevailing side where by Amendment No. 4 was rejected.

SPEAKER *PRO TEMPORE* stated that in asking Rep. HAMILTON if he had voted on the prevailing side, Rep. HAMILTON had responded in the affirmative.

Rep. J. E. SMITH moved to table the motion to reconsider.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 52; Nays 49

Those who voted in the affirmative are:

Alexander	Anthony	Arrington
Bales	Ballentine	Bamberg
Bennett	Bernstein	Bradley
Brawley	Brown	Caskey
Clary	Clyburn	Cobb-Hunter
Dillard	Douglas	Erickson

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Funderburk	Govan	Henderson-Myers
Henegan	Hill	Hosey
Howard	Huggins	King
Knight	Loftis	Mace
Mack	McCoy	McEachern
McKnight	Murphy	W. Newton
Norrell	Ott	Parks
Pendarvis	Ridgeway	M. Rivers
Robinson-Simpson	G. M. Smith	J. E. Smith
Stavrinakis	Thigpen	Trantham
Weeks	Wheeler	Williams
Young		

**Total--52**

Those who voted in the negative are:

Allison	Anderson	Atwater
Blackwell	Bowers	Bryant
Burns	Clemmons	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Duckworth	Elliott	Felder
Forrest	Forrester	Fry
Gagnon	Hamilton	Hayes
Henderson	Jefferson	Johnson
Long	Lucas	Martin
McCravy	McGinnis	D. C. Moss
B. Newton	Pitts	Pope
Putnam	S. Rivers	Sandifer
Simrill	G. R. Smith	Sottile
Tallon	Taylor	Thayer
Toole	West	White
Whitmire		

**Total--49**

So, the motion to reconsider was tabled.

Rep. MCCOY moved to continue the Bill.

[HJ]

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

Yeas 61; Nays 39

Those who voted in the affirmative are:

Alexander	Anthony	Arrington
Bales	Ballentine	Bamberg
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Caskey	Clary
Clyburn	Cobb-Hunter	Cole
Delleney	Dillard	Douglas
Elliott	Erickson	Felder
Funderburk	Govan	Henderson-Myers
Henegan	Hill	Hosey
Howard	Huggins	King
Knight	Loftis	Mace
Mack	McCoy	McEachern
McKnight	Murphy	B. Newton
W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Ridgeway	M. Rivers	Robinson-Simpson
Simrill	G. M. Smith	J. E. Smith
Stavrinakis	Thigpen	Trantham
Weeks	Wheeler	Williams
Young		

**Total--61**

Those who voted in the negative are:

Allison	Anderson	Atkinson
Atwater	Bowers	Burns
Clemmons	Collins	Crawford
Crosby	Daning	Davis
Duckworth	Forrest	Forrester
Fry	Gagnon	Hamilton
Hayes	Jefferson	Long
Lucas	Martin	McCrary
McGinnis	D. C. Moss	Pitts
Putnam	S. Rivers	Sandifer
G. R. Smith	Sottile	Tallon



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Taylor  
West

Thayer  
White

Toole  
Whitmire

**Total--39**

So, the Bill was continued.

**STATEMENT FOR THE JOURNAL**

Dear Speaker Lucas,

I am notifying you that I will not participate in the debate or vote on H. 5045, which relates to solar power lines. In accordance with Section 8-13-700(B) of the SC Code, I recuse myself from voting on this Bill because a potential conflict of interest due to an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected.

I wish to have my recusal noted for the House Journal.

Sincerely,

Rep. Lee Hewitt

**STATEMENT FOR THE JOURNAL**

Dear Speaker Lucas,

I am notifying you that I will not participate in the debate or vote on H. 5045, which relates to solar power lines. In accordance with Section 8-13-700(B) of the SC Code, I recuse myself from voting on this Bill because a potential conflict of interest due to an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected.

I wish to have my recusal noted for the House Journal.

Sincerely,

Rep. Josiah Magnuson

**SPEAKER IN CHAIR**

**H. 4421--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4421 -- Reps. J. E. Smith, McCoy, Ott, G. M. Smith, Ballentine, W. Newton, Bales, McEachern, Brown, Henegan, Clary, Arrington, Stavrinakis, Caskey, Norrell, Bernstein, Knight, Gilliard, Funderburk, Loftis, M. Rivers, Cobb-Hunter and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

[HJ]

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ARTICLE 25 TO CHAPTER 27, TITLE 58 SO AS TO ENACT THE "SOUTH CAROLINA ELECTRIC CONSUMER BILL OF RIGHTS ACT" TO DEFINE CATEGORIES OF COSTS TO BE COLLECTED THROUGH RESIDENTIAL CUSTOMER CHARGES, TO LIMIT RESIDENTIAL CUSTOMER CHARGES TO CAPTURE ONLY CUSTOMER-RELATED COSTS, AND TO REQUIRE EACH ELECTRICAL UTILITY TO INCLUDE A LINE ITEM ON CUSTOMER BILL STATEMENTS TO SHOW THE PERCENTAGE OF RETAIL RATES ATTRIBUTABLE TO DEFERRED RECOVERY OF THE COST OF THE NUCLEAR GENERATING STATION ABANDONED DURING CONSTRUCTION PURSUANT TO SECTION 58-33-225; BY ADDING CHAPTER 42 TO TITLE 58 SO AS TO ESTABLISH STATEWIDE STANDARDS PROVIDING CUSTOMERS WITH THE ABILITY TO INSTALL AND UTILIZE ONSITE DISTRIBUTED ENERGY SOURCES, TO DEFINE RELEVANT TERMS, TO ESTABLISH STATEWIDE INTERCONNECTION STANDARDS, TO PROHIBIT UTILITIES FROM PREVENTING CONSTRUCTION UNDER CERTAIN CONDITIONS, TO PROVIDE THE STATEWIDE NET METERING STANDARDS, TO ALLOW SETTLEMENT-BASED COST RECOVERY FOR INVESTOR-OWNED UTILITIES FOR CUSTOMER-GENERATORS BUT TO PROHIBIT COST RECOVERY OF LOST REVENUES WITHIN THE STATEWIDE NET METERING PROGRAM, TO EXEMPT INDUSTRIAL CUSTOMERS WHO ADOPT ONSITE DISTRIBUTED ENERGY RESOURCES FROM INCREMENTAL DISTRIBUTED ENERGY RESOURCE PROGRAM COSTS, TO PROVIDE THAT THE OWNER OF AN ONSITE DISTRIBUTED ENERGY RESOURCE WHO HAS REGISTERED WITH THE OFFICE OF REGULATORY STAFF AS A LESSOR OF THESE FACILITIES MAY NOT BE REGULATED AS A PUBLIC UTILITY FOR OFFERING A SERVICE THAT PROVIDES ONSITE GENERATION TO CUSTOMER-GENERATORS THROUGH A POWER PURCHASE AGREEMENT, TO REQUIRE EACH ELECTRICAL UTILITY TO PROVIDE A DISASTER READINESS INCENTIVE TO ENCOURAGE THE INSTALLATION OF SOLAR AND STORAGE COMBINATION ONSITE DISTRIBUTED ENERGY RESOURCES FACILITIES ON THE RESIDENCES OF FIRST RESPONDERS AND DESIGNATED PUBLIC SHELTERS; BY ADDING SECTION 27-1-80 SO AS TO PROHIBIT DISCRIMINATION AGAINST USE OF ONSITE DISTRIBUTED ENERGY RESOURCES THROUGH RESTRICTIVE

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COVENANTS, DEED RESTRICTIONS, OR HOMEOWNERS' ASSOCIATION DOCUMENTS; TO AMEND SECTION 58-40-10, RELATING TO TERMS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING RATES, SO AS TO, AMONG OTHER THINGS, REMOVE LANGUAGE PROVIDING THAT NET METERING RATES APPROVED BY THE COMMISSION PURSUANT TO CHAPTER 40, TITLE 58 ARE THE EXCLUSIVE NET METERING RATES AVAILABLE TO CUSTOMER-GENERATORS; TO AMEND SECTION 58-27-2600, RELATING TO TERMS APPLICABLE TO THE LEASE OF RENEWABLE ELECTRIC GENERATION FACILITIES PROGRAMS, SO AS TO REVISE THE DEFINITION OF "RETAIL ELECTRIC PROVIDER"; TO AMEND SECTION 58-27-2610, RELATING TO THE LEASE OF A RENEWABLE ELECTRIC GENERATION FACILITY, SO AS TO, AMONG OTHER THINGS, PROVIDE THAT LESSORS OF RENEWABLE ELECTRIC GENERATION FACILITIES MAY OFFER WARRANTY SERVICES, AND TO REMOVE THE CURRENT TWO PERCENT CAP ON LEASED RENEWABLE ELECTRIC GENERATION FACILITIES; TO AMEND SECTION 58-27-2630, RELATING TO THE REGISTRATION OF A RENEWABLE ELECTRIC GENERATION FACILITY LEASED TO A CUSTOMER-GENERATOR LESSEE, SO AS TO REPLACE THE CURRENT CUSTOMER-GENERATOR NOTARIZED AFFIDAVIT WITH A SIGNED DECLARATION FROM THE CUSTOMER-GENERATOR THAT IT WILL NOT ATTEMPT TO RESELL OR SELL ELECTRIC OUTPUT TO A THIRD PARTY THAT IS NOT THE ELECTRIC RETAIL SUPPLIER; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO EXEMPT RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF NO GREATER THAN TWENTY KILOWATTS, AS MEASURED IN ALTERNATING CURRENT.

Rep. PITTS moved to commit the Bill to the Committee on Labor, Commerce and Industry.

Rep. J. E. SMITH moved to table the motion.

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Rep. J. E. SMITH demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 53; Nays 45

Those who voted in the affirmative are:

Alexander	Anthony	Arrington
Bales	Ballentine	Bamberg
Bennett	Bernstein	Bradley
Brawley	Brown	Caskey
Clary	Clyburn	Cobb-Hunter
Delleney	Dillard	Douglas
Erickson	Funderburk	Govan
Henderson-Myers	Henegan	Hill
Hosey	Howard	Huggins
King	Knight	Loftis
Mace	Mack	McCoy
McEachern	McKnight	Murphy
W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Ridgeway	M. Rivers	Robinson-Simpson
Simrill	J. E. Smith	Stavrinnakis
Thigpen	Trantham	Weeks
Wheeler	Williams	

**Total--53**

Those who voted in the negative are:

Allison	Anderson	Atkinson
Atwater	Blackwell	Bowers
Burns	Clemmons	Cole
Collins	Crawford	Crosby
Davis	Duckworth	Elliott
Felder	Forrest	Forrester
Fry	Gagnon	Hamilton
Hayes	Henderson	Jefferson
Long	Lucas	Martin
McCrary	McGinnis	D. C. Moss
B. Newton	Pitts	Putnam
S. Rivers	Sandifer	G. R. Smith
Sottile	Tallon	Taylor

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Thayer  
White

Toole  
Whitmire

West  
Young

**Total--45**

So, the motion to commit the Bill was tabled.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4421 (COUNCIL\ZW\4421C003.GGS.ZW18), which was adopted:

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

/ SECTION 1. Article 7, Chapter 27, Title 58 of the 1976 Code is amended by adding:

“Section 58-27-1060. In order to address the challenges identified within current utility cost of service ratemaking methodologies, cost allocations, and rate designs in the report published pursuant to 58-27-1050, The Office of Regulatory Staff, with guidance and feedback from electrical utilities and other interested parties, shall investigate and recommend to the commission revised ratemaking methodologies, cost allocations, and rate designs for all retail customers by December 31, 2019. The recommendations should include a proposed timeline for implementation, including a pilot period of at least two years to study the impact of new rate designs on customer behaviors and on customer satisfaction. The commission shall issue an order adopting, modifying, or rejecting the Office of Regulatory Staff recommendations on revised ratemaking methodologies, cost allocations, and rate designs, in whole or in part, no later than December 31, 2022. The proposed revisions should seek to ensure a fair allocation of system costs and benefits between consumers, including customers who utilize distributed energy resources and consumers who do not utilize distributed energy resources, with a focus on achieving the following rate design goals:

- (1) provide accurate pricing for electricity consumed and electricity generated by utility customers;
- (2) use cost-causation principles with the need to encourage customers to utilize privately-funded distributed energy resources in a manner that furthers the long-term goal of lowering overall utility costs;
- (3) provide a structure that can accommodate a variety of utility customer choices while ensuring that utilities are adequately compensated for the services they provide;

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(4) provide a meaningful opportunity for customers to achieve bill savings by altering behavior or making investments in technologies or products that reduce electricity consumption from the grid;

(5) provide that utility customers retain flexibility to use differing technologies as they become available;

(6) provide that the structure is durable enough to apply to all utility customers of a given class, including those customers within the class utilizing distributed energy resources to reduce their consumption of electricity from the grid;

(7) provide that the structure is sufficiently understandable by the utility customers to whom it will apply;

(8) provide that, using a long-term view of quantifiable costs and benefits associated with customer-utilized distributed energy resources, cost-shifting between utility customers with distributed energy resources and utility customers without distributed energy resources is minimized to the extent possible;

(9) account for the impacts of distributed energy resources in utility load forecasting for purposes of distribution system and generation resource planning to ensure that allocated costs reflect the costs and benefits of customer-sited distributed energy resources on the grid; and

(10) manage the introduction of new customer loads that are capable of automation, including electric vehicle charging, battery storage, and smart appliances, in a manner that helps reduce customer contribution to system peaks and improve customer load factors.

Section 58-27-1070. A party in interest may seek judicial review through Section 58-27-2310 of a commission order establishing mandatory ratemaking or rate design requirements for electrical utilities pursuant to Section 58-27-1060.”

SECTION 2. Title 58 of the 1976 Code is amended by adding:

“CHAPTER 42

Customer Installation and Utilization  
of Distributed Energy Resources

Article 1

General Provisions

Section 58-42-10. (A) It is the intent of the General Assembly to build upon the successful deployment of solar generating capacity through the South Carolina Distributed Resource Act to continue enabling market-driven, private investment in distributed energy resources across the State by reducing regulatory and administrative burdens to customer installation and utilization of onsite distributed

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energy resources. It is the further intent of the General Assembly to avoid disruption to the growing market for customer-scale distributed energy resources.

(B) The General Assembly finds that:

(1) the South Carolina Distributed Energy Resource Act has resulted in the rapid deployment of solar generating capacity in the service territories of investor-owned utilities and has proven the ability of these programs to support significant job creation and private investment in the State; and

(2) electrical utilities that are not subject to the South Carolina Distributed Energy Resource Act have not experienced the same rapid deployment of solar generating capacity since enactment of the South Carolina Distributed Energy Resource Act.

Section 58-42-20. As used in this chapter:

(1) ‘Customer-generator’ means the user of an onsite distributed energy resource that is enrolled in net energy metering service.

(2) ‘Electrical utility’ means an electrical utility as defined in Section 58-27-10.

(3) ‘Net electrical energy measurement’ means the measurement occurring at the end of the monthly billing period where the electrical utility determines the volume of electricity to be charged or credited based on the net of the total imports from the grid to the customer-generator and total exports to the grid from the customer-generator during that billing period.

(4) ‘Net metering’ means using metering equipment sufficient to measure the difference between the electrical energy supplied to a customer-generator by an electrical utility and the electrical energy exported by the customer-generator to the electricity provider over the applicable billing period.

(5) ‘Net excess generation credit’ means a bill credit representing the value of net excess generation determined in the net electrical energy measurement according to the valuation methodology approved by the commission in Docket No. 2014-246-E.

(6) ‘Onsite distributed energy resource’ means a facility that is a ‘distributed energy resource’, as defined in Section 58-39-120(C), that:

(a) generates electricity from a renewable energy resource, as defined in Section 58-40-10(F);

(b) has an electric generating system with a capacity of:

(i) not more than the lesser of one thousand kilowatts (1,000 kW AC) or one hundred percent of contract demand if a nonresidential customer, provided the electric generating capacity of an onsite

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distributed energy resource that includes an energy storage device paired with a renewable energy resource will be determined as the lesser of the total inverter capacity or the sum of the direct current power components that comprise the onsite distributed energy resource facility; or

(ii) not more than twenty kilowatts (20 kW AC) if a residential customer, provided the electric generating capacity of an onsite distributed energy resource that includes an energy storage device paired with a renewable energy resource will be determined as the lesser of the total inverter capacity or the sum of the direct current power components that comprise the onsite distributed energy resource facility;

(c) is located on a single premises owned, operated, leased, or otherwise controlled by the customer;

(d) is configured to serve load on the customer's side of the electrical utility's revenue meter;

(e) is interconnected and operates in parallel phase and synchronization with an electrical utility and complies with the applicable interconnection standards;

(f) is intended primarily to offset part or all of the customer-generator's own electrical energy requirements; and

(g) meets all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the federal Energy Regulatory Commission, and any local governing authorities.

Section 58-42-30. This chapter applies to all electrical utilities providing retail service to electric customers in the State.

Article 2

Interconnection

Section 58-42-210. (A) Each electrical utility shall adopt the interconnection standards approved by the commission for interconnection of electric generation facilities and onsite distributed energy resources to the distribution grid.

(B) An electrical utility may set cost-based interconnection application fees, but may not establish a charge of more than two-hundred fifty dollars per interconnection request for electric generation facilities with a nameplate capacity of twenty kilowatts (20 kW AC) or less.

Section 58-42-220. (A) Within one hundred eighty calendar days of enactment of this act, the commission shall modify the interconnection standards for generator interconnections to the



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distribution system to provide an expedited procedure for interconnection of onsite distributed energy resources, including configurations that utilize battery storage as a component of the distributed energy resource facility.

(B) If an electrical utility fails to deny or approve an application for interconnection of an onsite distributed energy resource within thirty calendar days of receipt of a completed application, the application is deemed approved and the electrical utility will provide notice of permission to operate to the applicant within five calendar days.

Section 58-42-230. An electrical utility shall not require a customer-generator to purchase additional liability insurance as a condition of interconnection for an inverter-based onsite distributed energy resource facility.

Section 58-42-240. Each electrical utility shall maintain a list of distribution circuits where the nameplate capacity of interconnected aggregate electric generation exceeds fifteen percent of circuit peak demand. Each electrical utility with over one-hundred thousand customers shall publish a map or maps reflecting available circuit capacity under the fifteen percent threshold on the electrical utility's website and shall update these maps at least on a quarterly basis.

Section 58-42-250. The owner or user of an onsite distributed energy resource may proceed with construction and installation of the facility after receiving approval from the local or county authority with appropriate permitting jurisdiction. An electrical utility shall not delay or prohibit commencement of construction or installation beyond the date of permitting approval.

**Article 3**

**Rates and Charges**

Section 58-42-310. (A) As soon as practicable, and not to exceed thirty days after the enactment of this act, each electrical utility shall file with the commission a net metering tariff consistent with this section and begin offering net metering service to customers with onsite distributed energy resources.

(B) For net metering service, the net electrical energy measurement must be calculated in the following manner:

(1) For a customer-generator, an electrical utility shall measure the net electrical energy produced or consumed during the billing period in accordance with normal metering practices for customers in the same rate class, either by employing a single, bidirectional meter that measures the amount of electrical energy produced and consumed, or by

employing multiple meters that separately measure the customer-generator's consumption and export of electricity.

(2) If the electricity supplied by the electrical utility exceeds the electricity generated and exported to the electrical utility by the customer-generator during a billing period, the customer-generator must be billed for the net electricity supplied by the electrical utility in accordance with normal practices for customers in the same rate class.

(3) Any energy generated by the customer-generator and exported to the electrical utility's grid that exceeds the energy supplied by the electrical utility during a monthly billing period must be recorded as a net excess generation credit.

(4) Net excess generation credits may not be used to offset the nonvolumetric electricity charges.

(5) The utility shall maintain an account of any net excess generation credits accruing from the customer-generator's excess generation and allow those credits to be used to offset the customer-generator's volumetric energy charges during future billing periods.

(C) Customer-generators utilizing an energy storage device as part of the onsite distributed energy resource may participate in net metering so long as the storage device is configured to charge solely from a renewable energy resource, as that term is defined in Section 58-40-10(F).

(D) Any renewable or environmental attributes associated with a customer-generator's onsite distributed energy resource are the sole property of the customer-generator or the customer-generator's assignee and may not be claimed by the interconnected electrical utility except through a written agreement with the customer-generator or the customer-generator's assignee that is supported by appropriate consideration for the transfer of those attributes.

(E) Each electrical utility shall develop a standardized net metering agreement, substantially similar to the agreement approved by the commission pursuant to this section. The standardized net metering agreement shall:

(1) guarantee the right of the customer-generator to continue to receive net metering service for the associated onsite distributed energy resource facility under the terms of this section in effect on the date of execution for a period of thirty years;

(2) allow for the assignment of the net metering agreement by the customer-generator to subsequent owners or users of the onsite

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distributed energy resource facility at the premises where it was originally installed;

(3) allow for reasonable capacity increases or modifications to the distributed energy resource, including the addition of an energy storage device, routine component replacement, and addition of generation capacity that does not exceed one-quarter of one percent of the original capacity;

(4) provide that the customer-generator will have access to the same electrical rate options that the customer would have had if they had not installed and utilized onsite distributed energy resources; and

(5) allow the electrical utility to terminate the agreement if the onsite distributed energy resource is inactive for a consecutive period of twelve months or if the customer-generator is operating the facility in violation of laws or regulations related to safety and reliability of the grid.

(F) Within thirty days of the enactment of this act, the commission shall issue a notice to request comments and proposals for a standardized net metering agreement from all interested persons. Within one-hundred fifty days of the enactment of this act, the commission shall issue an order approving a standardized net metering agreement.

(G) Customers engaged in a prior net metering program may opt out and apply for net metering service as soon as the net metering tariff and standardized net metering agreement is available. Customers enrolling in net metering under this chapter prior to the availability of the net metering agreement may begin receiving net metering service under the terms of this section and may subsequently execute the commission-approved net metering agreement. For customer-generators opting out of a legacy net metering service that is included in a commission-approved distributed energy resource program, nothing in this section prohibits an electrical utility from continuing to recover distributed energy resource program costs for the duration and in the manner approved by the commission prior to the enactment of this act.

(H) Electrical utilities may charge a one-time, cost-based interconnection application fee for a net metering facility. The one-time interconnection application fee shall not exceed two-hundred fifty dollars for customers applying to interconnect a distributed energy resource with a total nameplate generating capacity of twenty kilowatts or less.

(I) An electrical utility that has customer-generators taking net metering service under a legacy net metering program pursuant to Section 58-40-10, et seq. shall provide these customer-generators the

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opportunity to transition to new net metering service under this chapter and shall automatically transition these customer-generators to new net metering service upon the termination of the customer-generator's rights to receive net metering service pursuant to a commission-approved distributed energy resource program.

Section 58-42-320. (A) Electrical utilities shall provide service to customers that install and utilize onsite distributed energy resources at nondiscriminatory rates that are identical, with respect to rate structure, retail rate components, and any monthly charges to the rates that the customer would be charged for electricity supplied by the electrical utility if they did not utilize onsite distributed energy resources and shall not require a separately allocated class of service for these customers.

(B) Nothing in this section prohibits a customer utilizing onsite distributed energy resources from taking optional service under an alternate structure that is specifically developed for and available to customers using onsite distributed energy resources.

Section 58-42-330. An industrial account utilizing an onsite distributed energy resource facility with a nameplate capacity of at least one-hundred kilowatts is exempt from paying the incremental distributed energy resource program costs that are subject to the cost cap in Section 58-39-150.

Section 58-42-340. Notwithstanding any other provision of this chapter, no electrical utility shall seek to recover through a general rate case or another proceeding the lost revenues associated with customer energy-saving measures. For purposes of this section, 'consumer energy-saving measure' means any equipment, technology, or practice employed by a customer to reduce the customer's consumption of grid-delivered electricity. Nothing in this section prevents an electrical utility from recovering the reasonable and prudent costs, as determined by the commission or the electrical utility's governing board or authority, of any direct incentive or rebate program that encourages customers of the electrical utility to invest in or employ customer energy-saving measures.

### Article 4

#### Regulation of Owners of Onsite Distributed Energy Resources

Section 58-42-410. (A) The owner of an onsite distributed energy resource facility contracting with the customer-generator using that facility through a power purchase agreement or other agreement providing for the ongoing operation and maintenance of the facility is not considered an electrical utility pursuant to Section 58-27-10(7).

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(B) Prior to offering a power purchase or other agreement for the operation and maintenance of an onsite distributed energy resource facility to a prospective customer-generator, the owner of the facility must obtain and maintain a certificate pursuant to Section 58-27-2620 that permits the owner to market and lease renewable electric generation facilities to customer-generator lessees.

Article 5

Utilization of Onsite Distributed Energy Resources  
to Enhance Disaster Readiness

Section 58-42-510. As used in this article:

(1) 'First responder' means a law enforcement officer, a fire department worker, or a paramedic with a primary place of residence in this State who is employed by or volunteers for a state, county, or municipal agency that ordinarily provides emergency services to citizens of this State during a natural disaster or state of emergency as declared by state or federal authorities.

(2) 'Designated emergency shelter' means a building owned by a state, county, or municipal government agency which has been designated by appropriate authorities as a place of community refuge made available to provide temporary shelter and housing to citizens during a natural disaster or state of emergency as declared by the governor or other authorized official.

(3) 'Onsite solar-storage facility' means an onsite distributed energy resource facility paired with a battery storage device which:

(a) utilizes solar energy to generate electricity sufficient to meet at least fifty percent of the host customer's annual electrical requirements;

(b) is capable of isolating from the electric grid and operating independently during periods of electrical outages; and

(c) has sufficient battery storage capacity to supply a minimum of twenty-four hours of back-up power to the customer's critical loads or a minimum of five hours of the customer's average daily usage.

Section 58-42-520. (A) Each electrical utility shall develop and implement an incentive program to encourage the installation of an onsite solar-storage facility to serve the critical loads of:

(1) the primary residence of a first responder; and

(2) designated emergency shelters within the service territory of the electrical utility.

(B) Each electrical utility's disaster readiness incentive program shall provide ratepayer-funded incentives, including rebates, grants, or other forms of incentives that support the purchase and installation of an

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onsite solar-storage facility, on a first-come, first served basis to encourage the installation of onsite solar-storage facilities with an aggregate nameplate capacity equal to or greater than one-quarter of one percent of the electrical utility's 2016 peak demand. Not less than twenty-five percent of the available incentive capacity must be reserved for solar-storage facilities installed on the primary residences of first responders.

(C) The commission shall allow an electrical utility subject to its jurisdiction to recover the prudently incurred costs of implementing and administering the disaster readiness incentive program.”

SECTION 3. Section 58-40-10(C) of the 1976 Code is amended to read:

“(C) ‘Customer-generator’ means the ~~owner, operator, lessee, or customer-generator-lessee~~ user of an electric energy generation unit ~~which~~ that:

- (1) generates electricity from a renewable energy resource;
- (2) has an electric generating system with a capacity of:
  - (a) not more than the lesser of one thousand kilowatts (1,000 kW AC) or one hundred percent of contract demand if a nonresidential customer; or
  - (b) not more than twenty kilowatts (20 kW AC) if a residential customer;
- (3) is located on a single premises owned, operated, leased, or otherwise controlled by the customer;
- (4) is interconnected and operates in parallel phase and synchronization with an electrical utility and complies with the applicable interconnection standards;
- (5) is intended primarily to offset part or all of the customer-generator's own electrical energy requirements; and
- (6) meets all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the federal Energy Regulatory Commission, and any local governing authorities.”

SECTION 4. Section 58-40-20(A) and (B) of the 1976 Code is amended to read:

“(A) ~~Net energy metering rates approved by the commission under the terms of this chapter shall be the exclusive net energy metering rates available to customer-generators. Upon commission approval, such net energy metering rates shall supersede all prior net energy metering rates.~~

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Customer-generators whose net energy metering facilities were energized prior to the availability of net energy metering rates approved by the commission under the terms of this chapter may remain in historic net energy metering programs through December 31, 2020.

(B) An electrical utility shall make net energy metering available to customer-generators on a first-come, first-served basis until the total nameplate generating capacity of net energy metering systems equals two percent of the previous five-year average of the electrical utility's South Carolina retail peak demand. ~~No electrical utility shall be required to approve any application for interconnection from net energy metering customer-generators if the total rated generating capacity of all applications for interconnection from net energy metering customer-generators already approved to date by the electrical utility equals or exceeds two percent of the previous five-year average of the electrical utility's South Carolina retail peak demand.~~ Applications for interconnection from net energy metering customer-generators received after December 31, 2020, or after the two percent cap is met, will proceed under the statewide net metering program established in Section 58-42-310. If an electrical utility's cap is met prior to the approval of a successor tariff pursuant to Section 58-42-310, the electrical utility shall continue to make the currently approved net metering rider or tariff available to new applicants for net metering service for the interim period and will provide these interim customer-generators a new standardized net metering agreement pursuant to Section 58-42-310(E) within thirty days of commission approval.

SECTION 5. Section 58-27-2610 of the 1976 Code is amended to read:

“Section 58-27-2610. (A) An entity that owns a renewable electric generation facility, located on a premises or residence owned or leased by an eligible customer-generator lessee to serve the electric energy requirements of that particular premises or residence or to enable the customer-generator lessee to obtain a credit for or engage in the sale of energy from the renewable electric generation facility to that customer-generator lessee's retail electric provider or its designee, ~~shall~~ must be permitted to lease ~~such~~ the facility exclusively to a customer-generator lessee under a lease, provided that the entity complies with the terms, conditions, and restrictions set forth within this article and holds a valid certificate issued by the Office of Regulatory Staff. An entity owning renewable electric generation facilities in compliance with the terms of this article ~~shall~~ is not be considered an ‘electrical utility’ ~~under~~ pursuant to Section 58-27-10 if the renewable

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electric generation facilities are ~~only~~ made available only to a customer-generator lessee for the customer-generator lessee's use on the customer-generator lessee's premises or the residence where the renewable electric generation facilities are located, or for the sale of energy to that customer-generator lessee's retail electric provider or its designee, and pursuant to a lease.

(B) ~~All customer-generator lessees that interconnect renewable electric generation facilities to a retail electric provider's transmission or distribution system must enroll in the applicable rate schedules made available by that retail electric provider, subject to the participation limitations set forth therein or in the policy adopted by the retail electric provider not subject to Section 58-40-20(B), and the customer-generator lessee shall otherwise comply with all requirements of Section 58-40-10, et seq., or the policy adopted by the retail electric provider not subject to Section 58-40-10, et seq.~~ A lessor of a renewable electric generation facility may provide additional warranty service to guarantee that the facility's electrical output will fall within an expected range based on the age and expected degradation of system components, any site-specific factors impacting facility production present at the time of installation, and meteorological conditions. Payments or credits provided to customer-generator lessees pursuant to these warranties or agreements must not be construed as implicating a retail sale of electricity.

(C) To comply with the terms of this article, each customer-generator lessee renewable electric generation facility shall serve only one premises or residence, and shall not serve multiple customer-generator lessees or multiple premises or residences.

(D) Any lease of a renewable electric generation facility not entered into pursuant to this article is prohibited. The owner of a renewable electric generation facility subject to ~~any a~~ lease entered into outside of this program ~~shall be~~ is considered an 'electrical utility' ~~under~~ pursuant to Section 58-27-10.

(E) ~~This section shall not be construed as allowing any sales of electricity from renewable electric generation facilities directly to any customer of any retail electric provider by the owner.~~ This article shall must not be construed as abridging or impairing any existing rights or obligations, established by contract or statute, of retail electric providers to serve South Carolina customers. The electrical output from ~~any a~~ renewable electric generation unit leased pursuant to this program ~~shall be~~ is the sole and exclusive property of the customer-generator lessee.

(F) An entity and its affiliates that lawfully provide retail electric service to the public may offer leases of renewable generation facilities



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in those areas or territories where it provides retail electric service. ~~No such~~ A provider or affiliate shall not offer or enter into leases of renewable generation facilities in areas served by another retail electric provider.

(G) The costs an electrical utility incurs in marketing, installing, owning, or maintaining solar leases through its own leasing programs as a lessor shall must not be recovered from other nonparticipating electrical utility customers through rates, ~~provided, however, except~~ that an electrical utility and the customer-generator lessees ~~which~~ who lease facilities from it may participate on an equal basis with other lessors and lessees in any applicable programs provided pursuant to Chapter 39, ~~of this title, 1976 Code Sections 58-39-110, et seq. Title 58,~~ and nothing in this section shall prevent the reasonable and prudent costs of a utility's distributed energy resource programs, including the provision of incentives to its own lessees and other allowable costs, from being reflected in a utility's rates ~~as provided for in~~ pursuant to Chapter 39, or as otherwise permitted under generally applicable regulatory principles.

(H) ~~The total installed capacity of all renewable electric generation facilities on a retail electric provider's system that are leased pursuant to this article shall not exceed two percent of the previous five-year average of the retail electric provider's South Carolina residential and commercial contribution to coincident retail peak demand and two percent of the previous five-year average of the retail electric provider's South Carolina industrial contribution to coincident retail peak demand. A provider may refuse to interconnect with customers where to do so would result in this limitation being exceeded. Every retail electric provider must establish a program for new installations of leased equipment to permit the reservation of capacity on its system including provisions to prevent or discourage abuse of such programs. Such programs must provide that only prospective individual customer-generator lessees may apply for, receive, and hold reservations. Each reservation shall be for a single customer premises only and may not be sold, exchanged, traded, or assigned except as part of the sale of the underlying premises. Requests for reservations to electrical utilities as defined in Section 58-27-10 shall accompany applications for interconnection of the leased facilities pursuant to Chapter 40, Title 58 and the reservation shall remain in force only so long as the application or permit for interconnection remains active. Electrical utilities as defined in Section 58-27-10 shall submit programs establishing the terms of such reservations to the commission for approval.~~

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~~(H) Notwithstanding the provisions of subsection (H), for an electrical utility for which more than fifty percent of the electricity that it generates in South Carolina comes from renewable resources, the total installed capacity of all renewable electric generation facilities on its system that are leased pursuant to this article shall not exceed one-tenth of one percent of the previous five-year average of the electrical utility's South Carolina residential and commercial contribution to coincident retail peak demand and one-tenth of one percent of the previous five-year average of the electrical utility's South Carolina industrial contribution to coincident retail peak demand. Electrical utilities meeting the requirements of this subsection shall not be required to establish a capacity reservation program as required by subsection (H).~~

~~(J)(1) The provisions of this Article 23 related to leased generation facilities shall do not apply to facilities:~~

~~(a) facilities serving a single premises that which are not interconnected with a retail electric provider;~~

~~(b) facilities owned by customer generators but financed by a third party; or~~

~~(c) facilities used exclusively for standby emergency service or participation in an approved standby generation program operated by a retail electric provider.~~

~~(2) The commission may promulgate regulations consistent with this section interpreting the scope of these exemptions as to electrical utilities.”~~

SECTION 6. Section 58-27-2630(A)(9) of the 1976 Code is amended to read:

“(9) ~~an affidavit~~ a signed declaration from the customer-generator lessee that it will not sell, resell, or attempt to sell or resell the electrical output of the facility to ~~any~~ a person, corporation, or entity, other than the customer-generator lessee's retail electric provider or its designee, that the primary purpose for the operation of the renewable electric generation facility is to generate electricity for the benefit of the premises where it is located, and that the facility has been or will be operated in substantial compliance with all federal and state laws, rules, and regulations and all local codes and ordinances.”

SECTION 7. A. Section 12-37-220(B) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( )~~(a)~~ Effective for property tax years beginning after 2017, a renewable energy resource property having a nameplate capacity of and generating no greater than twenty kilowatts, as measured in alternating current, is exempt.

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(b) For purposes of this item, ‘renewable energy resource’ means property defined in Section 58-40-10. This definition includes, but is not limited to, all components that enhance the operational characteristics of the generating equipment, such as an advanced inverter or battery storage device, and equipment required to meet all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities.”

B. This SECTION takes effect in property tax years beginning after 2017 and shall apply and terminate in the same manner as provided in Section 1.B. of Act 134 of 2016.

SECTION 8. A. Section 12-6-3770(A) of the 1976 Code is amended to read:

“(A) A taxpayer who constructs, purchases, or leases solar energy property located on the Environmental Protection Agency’s National Priority List, National Priority List Equivalent Sites, or on a list of related removal actions, as certified by the Department of Health and Environmental Control, or on property owned by the Pinewood Site Custodial Trust, located in the State of South Carolina, and places it in service in this State during the taxable year, is allowed an income tax credit equal to twenty-five percent of the cost, including the cost of installation of the property. The credit is earned in the year in which the solar energy property is placed in service, but must be taken in five equal annual installments, beginning in the year in which the solar energy property is placed in service. Unused credit may be carried forward for five taxable years from the year in which the credit was able to be taken. A lessor shall give a taxpayer who leases solar energy property from him a statement that describes the solar energy property and states the cost of the property upon request. A credit is not allowed pursuant to this section to the extent the cost of the solar energy property is provided by public funds. For purposes of this section, ‘public funds’ does not include federal grants or tax credits.”

B. This SECTION takes effect in income tax years beginning after 2017 and shall apply and terminate in the same manner as provided in Section 1.B. of Act 134 of 2016.

SECTION 9. Except as otherwise provided, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

[HJ]

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Rep. J. E. SMITH explained the amendment.

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

Yeas 69; Nays 28

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Bales
Ballentine	Bamberg	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brawley	Brown
Bryant	Caskey	Clary
Clyburn	Cobb-Hunter	Cole
Crosby	Daning	Delleney
Dillard	Douglas	Elliott
Erickson	Felder	Funderburk
Govan	Henderson-Myers	Henegan
Hill	Hosey	Howard
Huggins	King	Knight
Loftis	Mace	Mack
McCoy	McEachern	McKnight
Murphy	W. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Ridgeway	M. Rivers
Robinson-Simpson	Simrill	J. E. Smith
Sottile	Stavrinakis	Tallon
Taylor	Thigpen	Toole
Trantham	Weeks	West
Wheeler	Williams	Young

**Total--69**

Those who voted in the negative are:

Atkinson	Clemmons	Collins
Crawford	Davis	Duckworth
Forrest	Forrester	Fry
Gagnon	Hamilton	Hayes
Henderson	Jefferson	Long
Lucas	Martin	McCrary
McGinnis	D. C. Moss	B. Newton

[HJ]

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Pitts  
G. R. Smith  
Whitmire

Putnam  
Thayer

Sandifer  
White

**Total--28**

So, the amendment was adopted.

Rep. J. E. SMITH proposed the following Amendment No. 2 to H. 4421 (COUNCIL\WAB\4421C003.AGM.WAB18), which was adopted:

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

/ SECTION \_\_\_\_. Section 58-40-20(F) is amended by adding an appropriately numbered item to read:

“( ) Notwithstanding another provision of law, customers of the utility who are not customer-generators are not required to subsidize the costs of customer-generators.” /

Re-number sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

Rep. G. R. SMITH spoke against the amendment.

The amendment was then adopted.

#### **LEAVE OF ABSENCE**

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

Rep. FORRESTER proposed the following Amendment No. 3 to H. 4421 (COUNCIL\ZW\4421C008.GGS.ZW18), which was tabled:

Amend the bill, as and if amended, Section 58-42-20, as contained in SECTION 2, Page 4421-3, beginning on Line 33, by striking item (2) in its entirety and inserting:

/ (2) ‘Electrical utility’ means an electrical utility as defined in Section 58-27-10, and also other entities owning distribution facilities in this State for the purpose of providing retail electric service to the public for compensation, including municipalities, electric cooperatives, and the Public Service Authority. /

[HJ]

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

/ SECTION \_\_\_\_ . Section 58-27-2600(B) of the 1976 Code is amended to read:

“(B) ‘Retail electric provider’ means an electrical utility as defined in Section 58-27-10 and also means other entities that provide retail electric service in South Carolina, ~~but excluding electric cooperatives organized under the laws of a state other than South Carolina.~~” /

Renumber sections to conform.

Amend title to conform.

Rep. FORRESTER explained the amendment.

Rep. BALLENTINE spoke against the amendment.

Rep. J. E. SMITH moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 72; Nays 26

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bamberg
Bennett	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Caskey	Clary
Clyburn	Cobb-Hunter	Cole
Collins	Davis	Delleney
Dillard	Douglas	Erickson
Felder	Forrest	Funderburk
Govan	Hart	Hayes
Henderson-Myers	Henegan	Hosey
Howard	Huggins	Jefferson
King	Knight	Loftis
Mack	McCoy	McEachern
McKnight	D. C. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Ridgeway	M. Rivers

[HJ]

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Robinson-Simpson	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Stavrinakis
Tallon	Taylor	Thigpen
Toole	Trantham	Weeks
Wheeler	Williams	Young

**Total--72**

Those who voted in the negative are:

Clemmons	Crawford	Crosby
Daning	Duckworth	Elliott
Forrester	Fry	Gagnon
Hamilton	Henderson	Hill
Long	Lucas	Mace
Martin	McCravy	McGinnis
Pitts	Putnam	Sandifer
Sottile	Thayer	West
White	Whitmire	

**Total--26**

So, the amendment was tabled.

Rep. FORRESTER proposed the following Amendment No. 4 to H. 4421 (COUNCIL\ZW\4421C009.GGS.ZW18), which was tabled:

Amend the bill, as and if amended, Section 58-27-2610(E), as contained in SECTION 5, Page 4421-13, beginning on Line 8, by striking subsection (E) in its entirety and inserting:

/ (E) This section ~~shall~~ must not be construed as allowing any sales of electricity from renewable electric generation facilities directly to ~~any~~ a customer of ~~any~~ a retail electric provider by the owner. This article ~~shall~~ must not be construed as abridging or impairing any existing rights or obligations, established by contract or statute, of retail electric providers to serve South Carolina customers. The electrical output from ~~any~~ a renewable electric generation unit leased pursuant to this program ~~shall be~~ is the sole and exclusive property of the customer-generator lessee. /

Renumber sections to conform.

Amend title to conform.

Rep. FORRESTER explained the amendment.

[HJ]

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Rep. J. E. SMITH spoke against the amendment.

Rep. J. E. SMITH moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 68; Nays 25

Those who voted in the affirmative are:

Alexander	Anthony	Arrington
Atkinson	Atwater	Bales
Ballentine	Bamberg	Bennett
Bradley	Brawley	Brown
Bryant	Caskey	Clary
Clyburn	Cobb-Hunter	Collins
Daning	Delleney	Dillard
Douglas	Erickson	Forrest
Funderburk	Govan	Hamilton
Hart	Hayes	Henderson
Henderson-Myers	Henegan	Hill
Hosey	Howard	Huggins
Jefferson	King	Knight
Loftis	Mace	Mack
McCoy	McEachern	McKnight
Murphy	W. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Ridgeway	M. Rivers
Robinson-Simpson	Simrill	G. M. Smith
J. E. Smith	Sottile	Stavrinakis
Taylor	Thigpen	Toole
Trantham	Weeks	Wheeler
Williams	Young	

**Total--68**

Those who voted in the negative are:

Blackwell	Clemmons	Crawford
Davis	Duckworth	Elliott
Felder	Forrester	Fry
Gagnon	Long	Lucas
Martin	McCravy	McGinnis

[HJ]



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D. C. Moss	B. Newton	Pitts
Putnam	Sandifer	G. R. Smith
Thayer	West	White
Whitmire		

**Total--25**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

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

Rep. WHITE proposed the following Amendment No. 6 to H. 4421 (COUNCIL\SA\4421C003.BH.SA18), which was adopted:

Amend the bill, as and if amended, page [4421-10], SECTION 2, by deleting Section 58-42-520.

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

Rep. J. E. SMITH spoke in favor of the amendment.

The amendment was then adopted.

Rep. FORRESTER proposed the following Amendment No. 7 to H. 4421 (COUNCIL\WAB\4421C005.AGM.WAB18), which was tabled:

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

/ SECTION 1. Section 58-40-20(F) is amended by adding an appropriately numbered item to read:

“( ) Notwithstanding another provision of law, customers of the utility who are not customer-generators are not required to subsidize the costs of customer-generators.”

SECTION 2. Chapter 40, Title 58 of the 1976 Code is amended by adding:

“Section 58-40-30. (A) There is created the ‘Renewable Energy Development Joint Study Committee’ to support the development of renewable energy resources and production facilities to generate

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electricity. The study committee specifically shall investigate, examine, and develop appropriate recommendations addressing:

(1) ratemaking methodologies, cost allocations, and rate designs for all retail electric customers in South Carolina;

(2) strategies for ensuring the fairest allocation of system costs and benefits related to renewable energy resources and Act 236 of 2014 between consumers, including consumers who either do or do not utilize distributed energy resources;

(3) strategies to build upon the successful deployment of renewable energy generating capacity through the South Carolina Distributed Resource Act and to continue enabling market-driven, private investment in distributed energy resources across the State by reducing regulatory and administrative burdens to customer installation and utilization of onsite distributed energy resources;

(4) the current status of the progress and implementation of Act 236 of 2014 and strategies to enhance the act's progress and success; and

(5) job retention and growth in the renewable energy industry.

(B) The study committee must be composed of the following members:

(1) one member of the House of Representatives appointed by the Speaker of the House of Representatives;

(2) one member of the House of Representatives appointed by the majority leader of the House of Representatives;

(3) one member of the House of Representatives appointed by the minority leader of the House of Representatives;

(4) one member of the Senate appointed by the President *Pro Tempore* of the Senate;

(5) one member of the Senate appointed by the majority leader of the Senate;

(6) one member of the Senate appointed by the minority leader of the Senate;

(7) one member representing each of the following organizations to be appointed by the Governor:

South Carolina Public Service Authority

Central Electric Power Cooperative, Inc.

The Electric Cooperatives of South Carolina, Inc.

South Carolina Small Business Chamber of Commerce

South Carolina Chamber of Commerce

South Carolina Manufacturing Alliance

Nucor Steel

Solbridge Energy, LLC

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South Carolina Coastal Conservation League  
South Carolina Solar Business Alliance, LLC  
Southern Alliance for Clean Energy  
Sustainable Energy Solutions, LLC  
The Alliance for Solar Choice  
South Carolina Electric & Gas Company  
Duke Energy Carolinas, LLC  
Duke Energy Progress, Inc.  
South Carolina Office of Regulatory Staff  
Sierra Club  
Sunrun Solar  
South Carolina Energy Users Committee  
Wal-Mart Stores East, LP and Sam's East, Inc.  
Municipal Association of South Carolina  
South Carolina Association of Counties  
Conservation Voters of South Carolina  
South Carolina Appleseed Legal Justice Center  
Southern Environmental Law Center  
South Carolina Department of Health and Environmental Control  
Vote Solar  
Solar Energy Industry Association  
South Carolina Farm Bureau

(C) The study committee must be cochaired by the appointee of the President *Pro Tempore* of the Senate and the appointee of the Speaker of the House of Representatives. The study committee shall conduct its meetings at places and times it deems necessary to enable it to perform its duties and accomplish its objectives and purposes. the study committee may request administrative assistance from staffs of the House of Representatives Labor, Commerce and Industry Committee and the Senate Judiciary Committee. the members of the study committee shall serve without compensation, and service on the committee does not constitute an office for purposes of the South Carolina Constitution's prohibition against dual officeholding.

(D) The study committee shall prepare a report for the General Assembly that sets forth its findings and recommendations. The study committee shall deliver copies of its report to the Speaker of the House of Representatives and to the President *Pro Tempore* of the Senate no later than January 8, 2019, at which time the study committee is dissolved.”

SECTION 3. Section 58-40-20(B) of the 1976 Code is amended to read:

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“(B) An electrical utility shall make net energy metering available to customer-generators on a first-come, first-served basis until the total nameplate generating capacity of net energy metering systems equals ~~two~~ four percent of the previous five-year average of the electrical utility’s South Carolina retail peak demand. No electrical utility ~~shall~~ must be required to approve ~~any~~ an application for interconnection from net energy metering customer-generators if the total rated generating capacity of all applications for interconnection from net energy metering customer-generators already approved to date by the electrical utility equals or exceeds ~~two~~ four percent of the previous five-year average of the electrical utility’s South Carolina retail peak demand.”

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

Rep. FORRESTER explained the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. J. E. SMITH moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 51; Nays 47

Those who voted in the affirmative are:

Alexander	Anthony	Atwater
Bales	Ballentine	Bamberg
Bennett	Bradley	Brawley
Brown	Caskey	Clary
Clyburn	Cobb-Hunter	Dillard
Douglas	Erickson	Funderburk
Govan	Hart	Henderson-Myers
Henegan	Hill	Hosey
Howard	Huggins	King
Knight	Loftis	Mace
Mack	McCoy	McEachern
McKnight	Murphy	W. Newton
Norrell	Ott	Parks
Pendarvis	Ridgeway	M. Rivers
Robinson-Simpson	G. M. Smith	J. E. Smith

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Stavrinakis	Thigpen	Trantham
Weeks	Wheeler	Williams

**Total--51**

Those who voted in the negative are:

Allison	Atkinson	Blackwell
Bryant	Burns	Clemmons
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Duckworth	Elliott
Felder	Forrest	Forrester
Fry	Gagnon	Hamilton
Hayes	Henderson	Jefferson
Johnson	Long	Lucas
Martin	McCravy	McGinnis
D. C. Moss	B. Newton	Pitts
Pope	S. Rivers	Sandifer
Simrill	G. R. Smith	Sottile
Tallon	Taylor	Thayer
Toole	West	White
Whitmire	Young	

**Total--47**

So, the amendment was tabled.

Rep. ATWATER proposed the following Amendment No. 9 to H. 4421 (COUNCIL\AHB\4421C002.BH.AHB18), which was adopted:

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

/ SECTION \_\_\_\_ Chapter 40, Title 58 of the 1976 Code is amended by adding:

“Section 58-40-30. (A) There is created the ‘Renewable Energy Development Joint Study Committee’ to support the development of renewable energy resources and production facilities to generate electricity. The study committee specifically shall investigate, examine, and develop appropriate recommendations addressing:

(1) ratemaking methodologies, cost allocations, and rate designs for all retail electric customers in South Carolina;

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(2) strategies for ensuring the fairest allocation of system costs and benefits related to renewable energy resources and Act 236 of 2014 between consumers, including consumers who either do or do not utilize distributed energy resources;

(3) strategies to build upon the successful deployment of renewable energy generating capacity through the South Carolina Distributed Resource Act and to continue enabling market-driven, private investment in distributed energy resources across the State by reducing regulatory and administrative burdens to customer installation and utilization of onsite distributed energy resources;

(4) the current status of the progress and implementation of Act 236 of 2014 and strategies to enhance the act's progress and success; and

(5) job retention and growth in the renewable energy industry.

(B) The study committee must be composed of the following members:

(1) one member of the House of Representatives appointed by the Speaker of the House of Representatives;

(2) one member of the House of Representatives appointed by the majority leader of the House of Representatives;

(3) one member of the House of Representatives appointed by the minority leader of the House of Representatives;

(4) one member of the Senate appointed by the President *Pro Tempore* of the Senate;

(5) one member of the Senate appointed by the majority leader of the Senate;

(6) one member of the Senate appointed by the minority leader of the Senate;

(7) one member representing each of the following organizations to be appointed by the Governor:

South Carolina Public Service Authority  
Central Electric Power Cooperative, Inc.  
The Electric Cooperatives of South Carolina, Inc.  
South Carolina Small Business Chamber of Commerce  
South Carolina Chamber of Commerce  
South Carolina Manufacturing Alliance  
Nucor Steel  
Solbridge Energy, LLC  
South Carolina Coastal Conservation League  
South Carolina Solar Business Alliance, LLC  
Southern Alliance for Clean Energy  
Sustainable Energy Solutions, LLC

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The Alliance for Solar Choice  
South Carolina Electric & Gas Company  
Duke Energy Carolinas, LLC  
Duke Energy Progress, Inc.  
South Carolina Office of Regulatory Staff  
Sierra Club  
Sunrun Solar  
South Carolina Energy Users Committee  
Wal-Mart Stores East, LP and Sam's East, Inc.  
Municipal Association of South Carolina  
South Carolina Association of Counties  
Conservation Voters of South Carolina  
South Carolina Appleseed Legal Justice Center  
Southern Environmental Law Center  
South Carolina Department of Health and Environmental Control  
Vote Solar  
Solar Energy Industry Association  
South Carolina Farm Bureau

(C) The study committee must be cochaired by the appointee of the President *Pro Tempore* of the Senate and the appointee of the Speaker of the House of Representatives. The study committee shall conduct its meetings at places and times it deems necessary to enable it to perform its duties and accomplish its objectives and purposes. the study committee may request administrative assistance from staffs of the House of Representatives Labor, Commerce and Industry Committee and the Senate Judiciary Committee. the members of the study committee shall serve without compensation, and service on the committee does not constitute an office for purposes of the South Carolina Constitution's prohibition against dual officeholding.

(D) The study committee shall prepare a report for the General Assembly that sets forth its findings and recommendations. The study committee shall deliver copies of its report to the Speaker of the House of Representatives and to the President *Pro Tempore* of the Senate no later than January 8, 2019, at which time the study committee is dissolved.” /

Renumber sections to conform.

Amend title to conform.

Rep. ATWATER explained the amendment.

The amendment was then adopted.

**THURSDAY, APRIL 5, 2018**

Rep. SANDIFER moved to continue the Bill.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 35; Nays 65

Those who voted in the affirmative are:

Atkinson	Bryant	Burns
Clemmons	Cole	Collins
Crawford	Davis	Duckworth
Elliott	Forrest	Forrester
Fry	Gagnon	Hamilton
Hayes	Henderson	Johnson
Long	Lucas	Martin
McCravy	McGinnis	D. C. Moss
B. Newton	Pitts	Sandifer
G. R. Smith	Tallon	Taylor
Thayer	West	White
Whitmire	Young	

**Total--35**

Those who voted in the negative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bennett
Blackwell	Bowers	Bradley
Brawley	Brown	Caskey
Clary	Clyburn	Cobb-Hunter
Crosby	Daning	Delleney
Dillard	Douglas	Erickson
Felder	Funderburk	Govan
Hart	Henderson-Myers	Henegan
Hill	Hosey	Howard
Huggins	Jefferson	King
Knight	Loftis	Mace
Mack	McCoy	McEachern
McKnight	Murphy	W. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson

[HJ]



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Simrill	G. M. Smith	J. E. Smith
Sottile	Stavrinakis	Thigpen
Toole	Trantham	Weeks
Wheeler	Williams	

**Total--65**

So, the House refused to continue the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 64; Nays 33

Those who voted in the affirmative are:

Alexander	Anderson	Anthony
Atwater	Bales	Ballentine
Bamberg	Bennett	Blackwell
Bowers	Bradley	Brawley
Brown	Caskey	Clary
Clyburn	Cobb-Hunter	Cole
Crosby	Daning	Delleney
Dillard	Douglas	Erickson
Funderburk	Govan	Hart
Henderson-Myers	Henegan	Hill
Hosey	Howard	Huggins
Jefferson	King	Knight
Loftis	Mace	Mack
McCoy	McEachern	McKnight
Murphy	W. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Ridgeway	M. Rivers
Robinson-Simpson	Simrill	G. M. Smith
J. E. Smith	Sottile	Stavrinakis
Thigpen	Toole	Trantham
Weeks	Wheeler	Williams
Young		

**Total--64**

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Those who voted in the negative are:

Allison	Atkinson	Bryant
Clemmons	Collins	Crawford
Davis	Duckworth	Elliott
Felder	Forrest	Forrester
Fry	Gagnon	Hamilton
Hayes	Henderson	Johnson
Long	Lucas	Martin
McCravy	McGinnis	D. C. Moss
B. Newton	Sandifer	G. R. Smith
Tallon	Taylor	Thayer
West	White	Whitmire

**Total--33**

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

**STATEMENT FOR THE JOURNAL**

Dear Speaker Lucas,

I am notifying you that I will not participate in the debate or vote on H. 4421, which relates to solar power lines. In accordance with Section 8-13-700(B) of the SC Code, I recuse myself from voting on this Bill because a potential conflict of interest due to an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected.

I wish to have my recusal noted for the House Journal.

Sincerely,

Rep. Lee Hewitt

**STATEMENT FOR THE JOURNAL**

Dear Speaker Lucas,

I am notifying you that I will not participate in the debate or vote on H. 4421, which relates to solar power lines. In accordance with Section 8-13-700(B) of the SC Code, I recuse myself from voting on this Bill because a potential conflict of interest due to an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected.

I wish to have my recusal noted for the House Journal.

Sincerely,

Rep. Josiah Magnuson

[HJ]

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

**ADJOURNMENT**

At 3:13 p.m. the House, in accordance with the motion of Rep. TRANTHAM, adjourned in memory of Lori Elizabeth Crooke, to meet at 10:00 a.m. tomorrow.

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THURSDAY, APRIL 5, 2018

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H. 3775 .....	15, 16, 18, 20	H. 5210 .....	3
H. 3896 .....	46	H. 5211 .....	4
H. 4162 .....	14, 31	H. 5212 .....	4
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H. 4480 .....	23	H. 5218 .....	7
H. 4486 .....	41, 44	H. 5219 .....	8
H. 4592 .....	31, 33	H. 5220 .....	8
H. 4698 .....	15	H. 5221 .....	8
H. 4701 .....	46	H. 5222 .....	5
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