

NO. 50

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, APRIL 17, 2018
(STATEWIDE SESSION)

Tuesday, April 17, 2018
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Proverbs 22:17: “The words of the the wise: Incline your ear and hear my words, and apply your mind to my teaching.”

Let us pray. Almighty God, we give You thanks for granting us another day to serve You and the people we serve. May we all hear Your words of blessings and comfort as these Representatives and staff continue another week of work. Give them the wisdom and the courage to do what is pleasing in Your sight. Bestow Your blessings upon our Nation, President, State, Governor, Speaker, staff, and all who contribute their time and effort for the good of this State. 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 Friday, the SPEAKER *PRO TEMPORE* ordered it confirmed.

MOTION ADOPTED

Rep. LONG moved that when the House adjourns, it adjourn in memory of Ella Grace and Nora Joy Aho, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the family and friends of those injured and killed in the Lee Correctional Institute riot.

REGULATION WITHDRAWN AND RESUBMITTED

Document No. 4759

Agency: South Carolina Human Affairs Commission

TUESDAY, APRIL 17, 2018

Statutory Authority: 1976 Code Sections 31-21-30 and 31-21-100
Investigation Procedures
Received by Speaker of the House of Representatives January 9, 2018
Referred to Regulations and Administrative Procedures Committee
Legislative Review Expiration May 9, 2018

REGULATION WITHDRAWN

Document No. 4732
Agency: Department of Consumer Affairs
Statutory Authority: 1976 Code Sections 37-2-305, 37-3-305, 37-6-104, 37-6-402, 37-6-403, and 37-6-506
Method of Operations; Application of Federal Truth in Lending Act; Other Cases - Summary Procedure; Delinquent Notification Filing and Fee Payment; and Filing and Posting Maximum Rate Schedules
Received by Speaker of the House of Representatives January 9, 2018
Referred to Regulations and Administrative Procedures Committee
Legislative Review Expiration May 9, 2018

REPORT OF STANDING COMMITTEE

Rep. BALES, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 5195 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NORTH MCQUEEN STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH WEST LUCAS STREET TO ITS INTERSECTION WITH WEST SUMTER STREET "REVEREND EDWARD HEZEKIAH THOMAS WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 5238 -- Reps. Weeks, 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,

[HJ]

TUESDAY, APRIL 17, 2018

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, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR AND CELEBRATE THE LIFE OF MR. JAMES "BUSTER" FORD, SR., AND TO OFFER SINCERE CONDOLENCES TO HIS LARGE AND LOVING FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5239 -- Reps. McGinnis, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, 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 CONGRATULATE DR. CARL JAMES RECORDS OF HORRY COUNTY ON THE OCCASION OF

TUESDAY, APRIL 17, 2018

HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5240 -- Reps. Bannister, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO CONGRATULATE THOMAS "TIP" PRICE ON WINNING THE BOYS TEN TO ELEVEN-YEAR-OLD DIVISION IN THE 2018 DRIVE, CHIP & PUTT NATIONAL FINALS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5241 -- Reps. Brawley, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest,

[HJ]

TUESDAY, APRIL 17, 2018

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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF ADAM "CLINK" RICHBOW OF SUMTER COUNTY, TO HONOR HIS REMARKABLE AND ENDURING COMMITMENT TO HIS FAMILY, AND TO EXTEND DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5256 -- Reps. McCravy, Parks and Pitts: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DAVID C. DORITY OF GREENWOOD COUNTY FOR HIS DISTINGUISHED SERVICE AND OUTSTANDING CONTRIBUTIONS TO THE LIONS CLUB IN SOUTH CAROLINA AND TO THE PALMETTO STATE.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 5242 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest,

[HJ]

TUESDAY, APRIL 17, 2018

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 DECLARE WEDNESDAY, MAY 2, 2018, "SOUTH CAROLINA TEEN PREGNANCY PREVENTION DAY" AND TO HONOR THE VALUABLE CONTRIBUTIONS OF THE SOUTH CAROLINA CAMPAIGN TO PREVENT TEEN PREGNANCY, ITS PARTNERS WITHIN LOCAL COMMUNITIES AND ORGANIZATIONS, PARENTS, EDUCATORS, AND TRUSTED ADULTS.

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

CONCURRENT RESOLUTION

The following was introduced:

H. 5243 -- Reps. G. R. Smith, Huggins, Ballentine, Elliott, McGinnis, Fry, Toole, G. M. Smith, Herbkersman, Stringer, Burns, Martin, Mack, Young, Forrester, Bannister, Clemmons, Henderson, Mace, W. Newton, Tallon, Trantham and Willis: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HOLLY GATLING, EXECUTIVE DIRECTOR OF SOUTH CAROLINA CITIZENS FOR LIFE AND CORPORATE SECRETARY FOR THE NATIONAL RIGHT TO LIFE COMMITTEE, AND TO CONGRATULATE HER FOR TWENTY-FIVE YEARS OF OUTSTANDING SERVICE TO UNBORN CITIZENS IN SOUTH CAROLINA.

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

TUESDAY, APRIL 17, 2018

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1165 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RENEE AND BOB MCCORMICK FOR THEIR TIRELESS WORK IN ESTABLISHING AND MAINTAINING THE HONEA PATH FREE CLINIC AND FOR THE SIGNIFICANT IMPACT THAT THE CLINIC HAS HAD ON THE HONEA PATH COMMUNITY.

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

INTRODUCTION OF BILLS

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

H. 5244 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO MINIMUM STANDARDS FOR LICENSING HOSPITALS AND INSTITUTIONAL GENERAL INFIRMARIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4740, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5245 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO SOUTH CAROLINA STROKE CARE SYSTEM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4760, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5246 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO ADJUSTMENT OF CLAIMS UNDER UNUSUAL CIRCUMSTANCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4803,

[HJ]

TUESDAY, APRIL 17, 2018

PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23,
TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5247 -- Regulations and Administrative Procedures Committee: A
JOINT RESOLUTION TO APPROVE REGULATIONS OF THE
DEPARTMENT OF INSURANCE, RELATING TO CREDIT FOR
REINSURANCE, DESIGNATED AS REGULATION DOCUMENT
NUMBER 4792, PURSUANT TO THE PROVISIONS OF ARTICLE
1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5248 -- Regulations and Administrative Procedures Committee: A
JOINT RESOLUTION TO APPROVE REGULATIONS OF THE
DEPARTMENT OF SOCIAL SERVICES, RELATING TO
WILDERNESS THERAPEUTIC CAMPS FOR CHILDREN,
DESIGNATED AS REGULATION DOCUMENT NUMBER 4771,
PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23,
TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5249 -- Regulations and Administrative Procedures Committee: A
JOINT RESOLUTION TO APPROVE REGULATIONS OF THE
SOUTH CAROLINA HUMAN AFFAIRS COMMISSION,
RELATING TO COMPLAINT, DESIGNATED AS REGULATION
DOCUMENT NUMBER 4757, PURSUANT TO THE PROVISIONS
OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5250 -- Regulations and Administrative Procedures Committee: A
JOINT RESOLUTION TO APPROVE REGULATIONS OF THE
SOUTH CAROLINA HUMAN AFFAIRS COMMISSION,
RELATING TO INVESTIGATION AND PRODUCTION OF
EVIDENCE, DESIGNATED AS REGULATION DOCUMENT
NUMBER 4758, PURSUANT TO THE PROVISIONS OF ARTICLE
1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5251 -- Rep. Hill: A BILL TO AMEND THE CODE OF LAWS
OF SOUTH CAROLINA, 1976, TO ENACT THE "FAIR ACCESS TO
RESIDENTIAL WATER ACT OF 2017" BY ADDING SECTION 5-

[HJ]

TUESDAY, APRIL 17, 2018

31-695 SO AS TO PROVIDE THAT A MUNICIPALITY MAY NOT CHARGE PEOPLE WHO RESIDE OUTSIDE THE CORPORATE BOUNDARIES HIGHER RATES FOR WATER SERVICES THAN IT CHARGES MUNICIPAL RESIDENTS, AND TO PROVIDE THAT A MUNICIPALITY MAY NOT REQUIRE OR DEMAND A NONMUNICIPAL RESIDENT'S PERMISSION OR CONSENT TO ANNEXATION BY THE MUNICIPALITY AS A CONDITION FOR ESTABLISHING OR MAINTAINING WATER SERVICE; AND TO PROVIDE THAT OUT OF STATE WATER UTILITIES MAY NOT CHARGE SOUTH CAROLINA RESIDENTS AN UNFAIR RATE FOR WATER SERVICES, AND TO DEFINE THE TERM "UNFAIR RATE".

Referred to Committee on Labor, Commerce and Industry

H. 5252 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-31-230 SO AS TO ENACT THE "PALMETTO POWER PROMISE ACT" TO PROVIDE THAT IF THE STATE FISCAL ACCOUNTABILITY AUTHORITY ISSUES A REQUEST FOR PROPOSALS (RFP) SOLICITING BIDS FOR THE PURCHASE OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY BY A THIRD PARTY, THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL GIVE PRIORITY CONSIDERATION TO A RESPONSIVE BID SUBMITTED EITHER INDIVIDUALLY BY A SINGLE SOUTH CAROLINA ELECTRIC COOPERATIVE OR JOINTLY BY TWO OR MORE SOUTH CAROLINA ELECTRIC COOPERATIVES, AND TO PROVIDE THAT IF MORE THAN ONE RESPONSIVE BID IS SUBMITTED AS DESCRIBED IN THIS ACT, THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL SELECT THE BID IT CONSIDERS MOST BENEFICIAL TO THE STATE.

Referred to Committee on Labor, Commerce and Industry

H. 5253 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA SMALL TOWN COMPETITIVE POWER ACT" BY ADDING SECTION 58-27-412 SO AS TO PROVIDE THAT A MUNICIPALITY WITH A POPULATION OF LESS THAN FIVE THOUSAND RESIDENTS ACCORDING TO THE MOST RECENT DECENNIAL UNITED STATES CENSUS MAY TERMINATE, BY MUNICIPAL ORDINANCE OR RESOLUTION, AN EXISTING

[HJ]

TUESDAY, APRIL 17, 2018

EXCLUSIVE MUNICIPAL FRANCHISE WITH A RETAIL ELECTRIC PROVIDER TO FURNISH ELECTRICAL SERVICE WITHIN THE CORPORATE BOUNDARIES OF THE MUNICIPALITY AND AWARD OR GRANT THE MUNICIPALITY'S EXCLUSIVE FRANCHISE TO ANOTHER RETAIL ELECTRIC PROVIDER WHOSE SERVICE AREA IS ADJACENT TO THE MUNICIPALITY'S CORPORATE BOUNDARY; AND TO AMEND SECTION 58-27-410, RELATING TO THE PROCEDURE FOR GRANTING EXCLUSIVE MUNICIPAL FRANCHISES TO FURNISH ELECTRICAL SERVICE, SO AS TO PROVIDE AN EXEMPTION FOR MUNICIPALITIES THAT ELECT TO TERMINATE A RETAIL ELECTRIC PROVIDER'S EXCLUSIVE FRANCHISE PURSUANT TO THE PROVISIONS OF THIS ACT.

Referred to Committee on Labor, Commerce and Industry

H. 5254 -- Rep. Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT "THE PALMETTO RECREATION ACT"; TO AMEND SECTION 51-13-210, RELATING TO THE ESTABLISHMENT OF THE SANTEE-COOPER COUNTIES PROMOTION COMMISSION, SO AS TO REQUIRE THE COMMISSION TO IMPROVE, ENLARGE, INCREASE, OR ENHANCE RECREATION IN THE AREA AROUND ANY PROPERTY OWNED BY SANTEE-COOPER IN THIS STATE; TO AMEND SECTION 51-13-220, RELATING TO THE APPOINTMENT OF COMMISSION MEMBERS, SO AS TO INCREASE THE MEMBERSHIP; TO AMEND SECTION 51-13-230, RELATING TO THE POWERS OF THE COMMISSION, SO AS TO MAKE A CONFORMING CHANGE; AND TO AMEND SECTION 51-13-240, RELATING TO THE FUNDS USED BY THE COMMISSION, SO AS TO REQUIRE THE COUNTY GOVERNMENT WHERE AN ACQUISITION OF LAND OR RIGHTS IN LAND OCCURS TO PROVIDE THE FUNDS TO THE COMMISSION.

Referred to Committee on Labor, Commerce and Industry

H. 5255 -- Rep. Bowers: A BILL TO AMEND SECTION 1-11-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPROVAL OF REAL PROPERTY TRANSACTIONS INVOLVING CERTAIN GOVERNMENTAL BODIES, SO AS TO REQUIRE AN OPINION ON THE VALUE OF REAL PROPERTY

[HJ]

TUESDAY, APRIL 17, 2018

BY THE DEPARTMENT OF PARKS, RECREATION AND
TOURISM BEFORE THE APPROVAL OF THE SALE OF REAL
PROPERTY LARGER THAN ONE ACRE OWNED BY A
GOVERNMENTAL BODY.

Referred to Committee on Judiciary

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brawley
Brown	Bryant	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cole	Collins	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hardee	Hart
Hayes	Henderson	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McEachern	McGinnis	McKnight
D. C. Moss	V. S. Moss	Murphy
B. 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

TUESDAY, APRIL 17, 2018

Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Thigpen	Toole
Trantham	Weeks	West
Wheeler	White	Whitmire
Williams	Willis	Young

Total Present--114

SPEAKER IN CHAIR

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. BALLENTINE a leave of absence for the day due to business reasons.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. Michelle Gooch Floyd of Troy was the Doctor of the Day for the General Assembly.

[HJ]

TUESDAY, APRIL 17, 2018

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. 3751
Date: ADD:
04/17/18 THIGPEN

CO-SPONSOR ADDED

Bill Number: H. 4162
Date: ADD:
04/17/18 THIGPEN

S. 499--ORDERED TO THIRD READING

The following Bill was taken up:

S. 499 -- Senator Malloy: A BILL TO AMEND SECTION 56-1-148 OF THE 1976 CODE, RELATING TO THE IDENTIFYING CODE AFFIXED TO THE DRIVER'S LICENSE OF A PERSON CONVICTED OF CERTAIN CRIMES, TO REMOVE THE FIFTY DOLLAR FEE ASSOCIATED WITH PLACING THE IDENTIFYING CODE ON A DRIVER'S LICENSE.

Rep. ELLIOTT explained the Bill.

TUESDAY, APRIL 17, 2018

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 12

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atkinson	Atwater
Bamberg	Bannister	Blackwell
Bowers	Brawley	Brown
Burns	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cole	Collins	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Felder
Forrest	Funderburk	Gagnon
Gilliard	Govan	Hart
Hayes	Henderson	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hixon	Hosey
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Long
Lucas	Mace	Magnuson
Martin	McEachern	McGinnis
Murphy	B. Newton	Norrell
Ott	Parks	Pendarvis
Pitts	Ridgeway	S. Rivers
Rutherford	Sandifer	G. R. Smith
J. E. Smith	Spires	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	Williams
Willis	Young	

Total--83

Those who voted in the negative are:

Bennett	Bradley	Bryant
Crosby	Danig	Fry

TUESDAY, APRIL 17, 2018

Hardee
Putnam

Hiott
Simrill

Pope
Stringer

Total--12

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

OBJECTION TO RECALL

Rep. WILLIAMS asked unanimous consent to recall H. 4442 from the Committee on Ways and Means.

Rep. PITTS objected.

OBJECTION TO RECALL

Rep. WILLIAMS asked unanimous consent to recall H. 4464 from the Committee on Judiciary.

Rep. PITTS objected.

OBJECTION TO RECALL

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

Rep. WHITE objected.

OBJECTION TO RECALL

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

Rep. DELLENEY objected.

H. 4727--DEBATE ADJOURNED

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

H. 4727 -- Reps. White, Hardee, Yow, Huggins, Jefferson, Hosey, Anderson, West, Hewitt, Finlay, Ott, Duckworth, Sandifer, Davis, Clary, B. Newton, J. E. Smith, Rutherford, Bernstein, W. Newton, Herbkersman, McCoy, Lowe, Elliott and S. Rivers: A BILL TO AMEND SECTION 48-59-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO EXTEND VOTING PRIVILEGES TO CERTAIN MEMBERS AND TO PROHIBIT CERTAIN MEMBERS FROM SERVING AS CHAIRMAN; TO AMEND SECTION 48-59-50, RELATING TO THE

[HJ]

TUESDAY, APRIL 17, 2018

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

Rep. WHITE moved to adjourn debate upon the Senate Amendments until Tuesday, April 24, which was agreed to.

H. 3886--DEBATE ADJOURNED

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

H. 3886 -- Reps. Crawford, Ryhal, Hamilton, Sandifer, Fry, Putnam, Clemmons, Yow, Anderson, Johnson, Hardee, Huggins, Hewitt, Duckworth, Bowers, Sottile, Crosby, Felder, Bennett, Thigpen, Whipper, Brown, Hixon, Taylor, King, Daning, Spires, Henderson, Pitts, Kirby, White, McCravy, Hill, Gagnon, West, Wheeler, Davis, Murphy, Hayes, Ott, V. S. Moss, Lowe, Jordan and McKnight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 30 TO TITLE 27 SO AS TO ENTITLE THE CHAPTER "HOMEOWNERS ASSOCIATIONS"; TO DEFINE NECESSARY TERMS; TO REQUIRE OWNERS OF PROPERTY SUBJECT TO A HOMEOWNERS ASSOCIATION TO DISCLOSE THE ASSOCIATION'S GOVERNING DOCUMENTS TO PROSPECTIVE OWNERS, TO PROVIDE HOMEOWNERS ASSOCIATIONS SHALL PROVIDE HOMEOWNERS WITH

TUESDAY, APRIL 17, 2018

PRINTED OR ELECTRONIC COPIES OF FINANCIAL INFORMATION AND THE GOVERNING DOCUMENTS OF THE ASSOCIATION UPON REQUEST AT NO CHARGE, TO PROVIDE HOMEOWNERS ASSOCIATION BOARDS MAY NOT TAKE ACTION TO ADD OR INCREASE FEES AND THE LIKE WITHOUT GIVING CERTAIN NOTICE TO HOMEOWNERS AND TO PROVIDE HOMEOWNERS MAY ATTEND MEETINGS AT WHICH SUCH ACTIONS ARE TO BE TAKEN, TO INSTRUCT THE SOUTH CAROLINA REAL ESTATE COMMISSION TO OFFER AN ONLINE INSTRUCTIONAL COURSE COVERING THE BASICS OF HOMEOWNERS' ASSOCIATION MANAGEMENT AND THE RIGHTS AND RESPONSIBILITIES OF HOMEOWNERS, TO GRANT CONCURRENT CIVIL JURISDICTION IN CERTAIN ACTIONS BETWEEN HOMEOWNERS ASSOCIATIONS AND HOMEOWNERS, AND TO CREATE THE OFFICE OF HOMEOWNERS ASSOCIATION OMBUDSMAN IN THE DEPARTMENT OF CONSUMER AFFAIRS, TO PROVIDE QUALIFICATIONS, POWERS, AND DUTIES OF THE OMBUDSMAN, AMONG OTHER THINGS; AND TO AMEND SECTION 27-50-40, AS AMENDED, RELATING TO MANDATORY DISCLOSURE STATEMENTS SELLERS OF REAL PROPERTY MUST PROVIDE PURCHASERS, SO AS TO INCLUDE PROVISIONS CONCERNING DISCLOSURES OF PROPERTY SUBJECT TO HOMEOWNERS ASSOCIATION GOVERNANCE.

Rep. SANDIFER moved to adjourn debate upon the Senate Amendments until Wednesday, April 18, which was agreed to.

MOTION PERIOD

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

H. 3722--DEBATE ADJOURNED

The following Bill was taken up:

H. 3722 -- Ways and Means Committee: A BILL TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO THE ISSUANCE OF STATE CAPITAL IMPROVEMENT BONDS, SO AS TO AUTHORIZE ADDITIONAL PROJECTS AND CONFORM THE AGGREGATE PRINCIPAL INDEBTEDNESS AMOUNT TO THE ADDITIONAL AMOUNTS AUTHORIZED HEREBY, AND TO

[HJ]

TUESDAY, APRIL 17, 2018

PROVIDE THAT THE PROVISIONS OF SECTION 2-7-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, DO NOT APPLY TO THE PROVISIONS OF THIS ACT.

Rep. WHITE moved to adjourn debate on the Bill until Tuesday, April 24, which was agreed to.

LEAVE OF ABSENCE

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

S. 6--AMENDED AND RECOMMITTED

The following Bill was taken up:

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

Rep. RUTHERFORD proposed the following Amendment No. 3S. 6 (COUNCIL\CM\6C003.GT.CM18), which was adopted:

Amend the bill, as and if amended, Section 47-3-630, as contained in SECTION 2, by adding the following paragraph at the end:

/ Notwithstanding another provision of law, a person who is seventeen years old or less may not be charged with a violation of Section 47-3-610, 47-3-620, or 47-3-630. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

[HJ]

TUESDAY, APRIL 17, 2018

Rep. TALLON moved to table the amendment.

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

Yeas 36; Nays 57

Those who voted in the affirmative are:

Allison	Atwater	Bannister
Bennett	Bryant	Caskey
Chumley	Cole	Collins
Davis	Duckworth	Elliott
Felder	Forrest	Forrester
Hewitt	Hill	Hixon
Long	Lucas	Mace
Magnuson	McGinnis	B. Newton
Pope	Simrill	G. R. Smith
Sottile	Stringer	Tallon
Thayer	Trantham	West
Whitmire	Willis	Young

Total--36

Those who voted in the negative are:

Alexander	Anderson	Anthony
Atkinson	Bamberg	Bernstein
Blackwell	Bradley	Brawley
Brown	Burns	Clary
Clemmons	Clyburn	Cobb-Hunter
Crosby	Daning	Dillard
Douglas	Funderburk	Gagnon
Gilliard	Govan	Hardee
Hart	Hayes	Henderson
Henderson-Myers	Henegan	Herbkersman
Hiott	Hosey	Howard
Huggins	Jefferson	King
Kirby	Knight	Loftis
Norrell	Ott	Parks
Pendarvis	Putnam	Ridgeway
Robinson-Simpson	Rutherford	J. E. Smith
Spires	Stavrinakis	Taylor

TUESDAY, APRIL 17, 2018

Thigpen
Wheeler

Toole
White

Weeks
Williams

Total--57

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment, which was agreed to by a division vote of 51 to 25.

Rep. RUTHERFORD moved to recommit the Bill to the Committee on Judiciary, which was agreed to.

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

ADJOURNMENT

At 1:22 p.m. the House, in accordance with the motion of Rep. LONG, adjourned in memory of Ella Grace and Nora Joy Aho, to meet at 10:00 a.m. tomorrow.

TUESDAY, APRIL 17, 2018

H. 3722	17	H. 5245	7
H. 3751	13	H. 5246	7
H. 3886	16	H. 5247	8
H. 4162	13	H. 5248	8
H. 4442	15	H. 5249	8
H. 4464	15	H. 5250	8
H. 4727	15	H. 5251	8
H. 4804	15	H. 5252	9
H. 4859	15	H. 5253	9
H. 5195	2	H. 5254	10
H. 5238	2	H. 5255	10
H. 5239	3	H. 5256	5
H. 5240	4		
H. 5241	4	S. 6	18
H. 5242	5	S. 6	18
H. 5243	6	S. 499	13
H. 5244	7	S. 1165	7