

SENATE TO MEET AT 2:00 P.M. TODAY

NO. 20

CALENDAR
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, FEBRUARY 14, 2017

Tuesday, February 14, 2017

INVITATIONS

Wednesday, February 15, 2017 - 8:00-10:00 A.M.

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS**
(Accepted--January 31, 2017)

Wednesday, February 15, 2017 - 12:00-2:00 P.M.

Members and Staff, Luncheon, Room 112, Blatt Building, by the **UNITED WAY ASSOCIATION OF SOUTH CAROLINA**
(Accepted--January 31, 2017)

Wednesday, February 15, 2017 - 5:30-7:30 P.M.

Members of the Senate, Reception, Embassy Suites, by the **SOUTH CAROLINA ASSOCIATION OF COUNTIES**
(Accepted--January 31, 2017)

Thursday, February 16, 2017 - 8:00-10:00 A.M.

Members and Staff, Breakfast, Room 112, Blatt Building, by the **CAROLINA SPEECH, LANGUAGE, AND HEARING ASSOCIATION**
(Accepted--January 31, 2017)

Tuesday, February 21, 2017 - 6:00-9:00 P.M.

Members of the Senate, Reception, The Double Tree Hotel, by the **SOUTH CAROLINA ASSOCIATION OF CONSERVATION DISTRICTS**
(Accepted--January 31, 2017)

Tuesday, February 21, 2017 - 7:00-9:00 P.M.

Members and Staff, Reception, The Palmetto Club, by the **SOUTH CAROLINA STATE ALUMNI ASSOCIATION**
(Accepted--January 31, 2017)

Tuesday, February 21, 2017 - 5:30-7:30 P.M.

Members and Staff, Reception, The Capital City Club, by the
**ASSOCIATED BUILDERS AND CONTRACTORS OF THE
CAROLINAS**

(Accepted--January 31, 2017)

Wednesday, February 22, 2017 - 8:00-10:00 A.M.

Members and Staff, Breakfast, Room 112, Blatt Building, by the
**SOUTH CAROLINA ASSOCIATION OF HABITAT
AFFILIATES**

(Accepted--January 31, 2017)

Wednesday, February 22, 2017 - 12:00-2:00 P.M.

Members of the Senate, Luncheon, Room 112, Blatt Building, by the
WIL LOU GRAY OPPORTUNITY SCHOOL

(Accepted--January 31, 2017)

Wednesday, February 22, 2017 - 6:00-8:00 P.M.

Members and Staff, Reception, The Columbia Museum of Art, by the
COLUMBIA MUSEUM OF ART/CITY OF COLUMBIA

(Accepted--January 31, 2017)

Wednesday, February 22, 2017 - 7:00-9:00 P.M.

Members and Staff, Reception, The Palmetto Club, by the **WINE AND
SPIRITS WHOLESALERS OF SC**

(Accepted--January 31, 2017)

Thursday, February 23, 2017 - 8:00-10:00 A.M.

Members of the Senate, Breakfast, Room 112, Blatt Building, by the
AAA CAROLINAS

(Accepted--January 31, 2017)

Tuesday, February 28, 2017 - 6:00-8:00 P.M.

Members and Staff, Reception, Hall at Senate's End, by the **CLEMSON
UNIVERSITY FOUNDATION**

(Accepted--January 31, 2017)

MOTION PERIOD

STATEWIDE THIRD READING BILLS

- S. 214--Senators Kimpson and Gregory: **A BILL TO AMEND ARTICLE 1, CHAPTER 36, TITLE 12 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SALES AND USE TAX ACT, BY ADDING SECTION 12-36-71, TO PROVIDE THAT A RETAILER IS PRESUMED TO BE LIABLE FOR THE SALES TAX OR RESPONSIBLE FOR COLLECTING AND REMITTING THE USE TAX IF THE RETAILER ENTERS INTO AN AGREEMENT WITH A RESIDENT OF THIS STATE UNDER WHICH THE RESIDENT, FOR A COMMISSION OR CONSIDERATION, REFERS POTENTIAL CUSTOMERS, WHETHER BY AN INTERNET LINK OR OTHERWISE, TO REQUIRE SUCH RETAILERS TO OBTAIN A RETAIL LICENSE AND REMIT SALES AND USE TAX ON ALL TAXABLE RETAIL SALES, AND TO PROVIDE EXCEPTIONS.**

(Read the first time--January 10, 2017)

(Reported by Committee on Finance--January 24, 2017)

(Favorable)

(Read the second time--January 31, 2017)

(Ayes 38, Nays 5 -- January 31, 2017)

S. 181--Senator Shealy: A BILL TO AMEND SECTION 44-56-200(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HAZARDOUS WASTE MANAGEMENT ACT, TO PROVIDE THAT, FOR THE PURPOSES OF THIS CHAPTER, "RESPONSIBLE PARTY" DOES NOT INCLUDE A PERSON WHO IS EXCLUDED FROM LIABILITY UNDER THE SUPERFUND RECYCLING EQUITY ACT, 42 U.S.C. SECTION 9627.

(Read the first time--January 10, 2017)

(Reported by Committee on Medical Affairs--February 7, 2017)

(Favorable with amendments)

(Committee Amendment Adopted--February 9, 2017)

(Read the second time--February 9, 2017)

(Ayes 36, Nays 0 -- February 9, 2017)

S. 234--Senator Massey: A BILL TO AMEND SECTION 44-61-160(A) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY OF THE DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES, TO PROVIDE THAT THE IDENTITIES OF PATIENTS AND EMERGENCY MEDICAL TECHNICIANS MENTIONED, REFERENCED, OR OTHERWISE APPEARING IN INFORMATION AND DATA COLLECTED OR PREPARED BY EMERGENCY MEDICAL SERVICES ARE SUBJECT TO SUBPOENA IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING.

(Read the first time--January 10, 2017)

(Reported by Committee on Medical Affairs--February 7, 2017)

(Favorable with amendments)

(Committee Amendment Adopted--February 9, 2017)

(Read the second time--February 9, 2017)

(Ayes 36, Nays 0 -- February 9, 2017)

S. 338--Senators Hembree, Courson, J. Matthews, Setzler and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE OPENING DATE FOR STUDENTS TO ATTEND PUBLIC SCHOOLS DURING THE 2017-2018 SCHOOL YEAR MAY BE AS EARLY AS THURSDAY, AUGUST

SEVENTEENTH, IN THE DISCRETION OF THE SCHOOL DISTRICT BOARD OF TRUSTEES.

(Read the first time--February 1, 2017)

(Recalled from Committee on Education--February 2, 2017)

(Read the second time--February 9, 2017)

(Ayes 39, Nays 0 -- February 9, 2017)

- S. 371--Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN OPTICIANRY, RELATING TO EXAMINATIONS; APPRENTICESHIP; AND CONTINUING EDUCATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4723, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.**

(Without reference--February 7, 2017)

(Read the second time--February 9, 2017)

(Ayes 38, Nays 0 -- February 9, 2017)

- S. 372--Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS, RELATING TO ADMINISTRATOR-IN-TRAINING PROGRAM REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4722, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.**

(Without reference--February 7, 2017)

(Read the second time--February 9, 2017)

(Ayes 35, Nays 3 -- February 9, 2017)

- S. 374--Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO THE EVALUATION OF SCHOOL EMPLOYEES FOR TUBERCULOSIS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4704, PURSUANT**

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

(Without reference--February 7, 2017)
(Read the second time--February 9, 2017)
(Ayes 39, Nays 0 -- February 9, 2017)

- S. 376--Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO UNDERGROUND STORAGE TANK CONTROL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4706, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.**

(Without reference--February 7, 2017)
(Read the second time--February 9, 2017)
(Ayes 38, Nays 0 -- February 9, 2017)

- S. 378--Medical Affairs Committee: A JOINT RESOLUTION TO DISAPPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PHARMACY, RELATING TO MINIMUM SPECIFICATIONS AND PRACTICE STANDARDS GOVERNING PHARMACIES AND PHARMACISTS ENGAGED IN NONSTERILE AND STERILE COMPOUNDING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4734, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.**

(Without reference--February 7, 2017)
(Read the second time--February 9, 2017)
(Ayes 38, Nays 1 -- February 9, 2017)

- S. 365--Senators Rankin, Hembree, Goldfinch, Malloy and Sabb: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 141, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE "COASTAL CAROLINA**

**UNIVERSITY 2016 COLLEGE WORLD SERIES
CHAMPIONS” SPECIAL LICENSE PLATES.**

(Read the first time--February 7, 2017)

(Recalled from Committee on Transportation--February 9,
2017)

(Amended--February 9, 2017)

(Read the second time--February 9, 2017)

(Ayes 39, Nays 0 -- February 9, 2017)

**SECOND READING
CONSENT CALENDAR**

- S. 90--Senators Campsen, Johnson and Hembree: A BILL TO AMEND SECTION 22-2-5(A) OF THE 1976 CODE, RELATING TO THE ELIGIBILITY EXAMINATION FOR MAGISTRATES, TO EXTEND THE TIME PERIOD FOR THE VALIDITY OF THE EXAMINATION SCORES FROM SIX MONTHS BEFORE AND SIX MONTHS AFTER THE TIME THE APPOINTMENT IS TO BE MADE TO ONE YEAR BEFORE AND TWO YEARS AFTER THE TIME THE APPOINTMENT IS TO BE MADE.**

(Read the first time--January 10, 2017)

(Reported by Committee on Judiciary--February 8, 2017)

(Favorable)

- S. 107--Senators Campsen, Hutto, Massey and Hembree: A BILL TO AMEND THE 1976 CODE, BY ADDING SECTION 1-3-125, TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12, TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE, AND TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301, TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A**

SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, TO PROVIDE LIMITATIONS AND PROVIDE THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND CODE SECTIONS RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES; AND TO REQUIRE, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE REFLECTING THE PROVISIONS OF THIS ACT; AND FOR OTHER PURPOSES. (Abbreviated Title)

(Read the first time--January 10, 2017)

(Reported by Committee on Judiciary--February 8, 2017)

(Favorable with amendments)

- S. 118--Senators Campsen, Malloy and Hembree: A BILL TO AMEND SECTION 22-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CIVIL JURISDICTION OF THE MAGISTRATES COURT, SO AS TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO TEN THOUSAND DOLLARS AND TO REQUIRE THAT, EXCEPT FOR LANDLORD AND TENANT CASES, ANY CASE WITH AN AMOUNT IN CONTROVERSY EQUALING OR EXCEEDING FIVE THOUSAND DOLLARS MUST BE ORDERED FOR MANDATORY MEDIATION IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE SOUTH CAROLINA SUPREME COURT.**

(Read the first time--January 10, 2017)

(Reported by Committee on Judiciary--February 8, 2017)

(Favorable with amendments)

**Indicates Subject to Rule 39

****S. 11--Senator Davis: A BILL TO AMEND SECTION 38-75-485, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, SO AS TO EXPAND THE PROGRAM TO INCLUDE FLOOD DAMAGE.**

(Read the first time--January 10, 2017)

(Reported by Committee on Banking and Insurance--February 9, 2017)

(Favorable)

****S. 254--Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "OWN RISK AND SOLVENCY ASSESSMENT ACT" BY ADDING ARTICLE 8 TO CHAPTER 13, TITLE 38 SO AS TO EXPRESS THE PURPOSE OF THIS ACT, TO DEFINE NECESSARY TERMS, TO REQUIRE AN INSURER TO MAINTAIN A RISK MANAGEMENT FRAMEWORK FOR CERTAIN PURPOSES, TO REQUIRE AN INSURER OR INSURANCE GROUP OF WHICH AN INSURER IS A MEMBER TO CONDUCT AN OWN RISK AND SOLVENCY ASSESSMENT (ORSA) ON NO LESS THAN AN ANNUAL BASIS, TO REQUIRE AN INSURER OR INSURANCE GROUP TO SUBMIT AN ORSA REPORT TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE AND TO DESCRIBE WHAT THE REPORT MUST CONTAIN, TO PROVIDE EXEMPTIONS FROM THE REPORTING PROVISIONS IN CERTAIN CIRCUMSTANCES AND TO ALLOW AN INSURER TO APPLY FOR A WAIVER UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH THAT THE ORSA REPORT BE PREPARED IN A MANNER CONSISTENT WITH THE ORSA GUIDANCE MANUAL, TO PROVIDE THAT ALL DOCUMENTS, MATERIALS AND INFORMATION CREATED UNDER THE OWN RISK AND SOLVENCY ASSESSMENT ACT ARE CONFIDENTIAL, TO PROHIBIT THE DIRECTOR OR ANYONE WHO RECEIVES ORSA-RELATED INFORMATION FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO PERMIT THE DIRECTOR TO TAKE CERTAIN ACTIONS CONCERNING HIS REGULATORY DUTIES, TO PROVIDE A PENALTY FOR AN INSURER**

[SC]

WHO FAILS TO FILE THE ORSA SUMMARY REPORT, AND TO SET AN EFFECTIVE DATE FOR THE PROVISIONS OF THIS ACT; AND TO AMEND SECTION 38-21-10, AS AMENDED, RELATING TO DEFINED TERMS FOR THE INSURANCE HOLDING COMPANY REGULATORY ACT, SO AS TO DEFINE THE TERM “SUPERVISORY COLLEGE.”

(Read the first time--January 12, 2017)

(Reported by Committee on Banking and Insurance--February 9, 2017)

(Favorable with amendments)

STATEWIDE SECOND READING BILLS

- S. 137--Senators Campsen, Hembree, Climer, Young and Turner: **A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE TO SERVE AT THE PLEASURE OF THE GOVERNOR BEGINNING IN JANUARY 2023, OR UPON A VACANCY IN THE OFFICE OF THE SUPERINTENDENT OF EDUCATION AFTER THE DATE OF THE RATIFICATION OF THIS AMENDMENT, WHICHEVER OCCURS FIRST, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE.**

(Read the first time--January 10, 2017)

(Reported by Committee on Judiciary--January 24, 2017)

(Favorable)

(Contested by Senator Johnson)

S. 168--Senators Shealy, McElveen and Bryant: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100 OF THE 1976 CODE, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

(Read the first time--January 10, 2017)

(Reported by Committee on Judiciary--January 25, 2017)

(Favorable with amendments)

S. 245--Senators Hutto and Hembree: A BILL TO AMEND SECTION 44-53-370, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRUG OFFENSES, SO AS TO CONFORM THE LANGUAGE OF TRAFFICKING IN ILLEGAL DRUGS PROVISIONS, INCLUDING OPIATES AND HEROIN, TO THE LANGUAGE OF THE PROVISIONS CONCERNING POSSESSION AND DISTRIBUTION OF CERTAIN ILLEGAL DRUGS WHICH WOULD INCLUDE SYNTHETIC OPIATES, AMONG OTHER DRUGS.

(Read the first time--January 10, 2017)

(Reported by Committee on Judiciary--January 25, 2017)

(Favorable with amendments)

S. 326--Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4711, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(Without reference--January 31, 2017)

S. 327--Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF BARBER EXAMINERS, RELATING TO BARBERSHOP REQUIREMENTS; APPLICATIONS FOR INSPECTION AND REGISTRATION AND SHOP LICENSE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4713, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(Without reference--January 31, 2017)

S. 373--Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO SHELLFISH, DESIGNATED AS REGULATION DOCUMENT NUMBER 4736, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(Without reference--February 7, 2017)

S. 375--Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO DRYCLEANING FACILITY RESTORATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4705, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(Without reference--February 7, 2017)

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