

NO. 15

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

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THURSDAY, FEBRUARY 1, 2018

**Thursday, February 1, 2018**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 23:1-4 NRSV

“The Lord is my shepherd, I shall not want. He makes me to lie down in green pastures; he leads me beside still waters; he restores my soul. He leads me in the right paths for His name sake.”

Let us pray. Loving God, these words from Your servant David speak volumes about Your love for us. Even though we live in a success oriented society, we are comforted by the words, “I shall not want”.

Who among us can say that they live without want? No matter how much we have, we always want more. Yet You, the good shepherd, provide all that we need to live a meaningful life. The problem is that we see through a mirror dimly. We do not know the still waters. We do not know the right path. You alone, O God, can lead us down the right path that leads to life. Even when one of us goes astray, You will come looking for that one.

So today, as Senators and staff, we pray that we can put our complete trust in You -- knowing that through Your grace and through Your power all things are possible. Thanks be to You, O God, that You will never leave us or forsake us. For Your love never ends. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

**Point of Quorum**

At 11:05 A.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander

Bennett

Campbell

[SJ]

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Campsen	Climer	Corbin
Davis	Fanning	Gambrell
Hutto	Johnson	Kimpson
Leatherman	Martin	Massey
<i>Matthews, John</i>	Nicholson	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Timmons	Verdin
Williams		

A quorum being present, the Senate resumed.

**Recorded Presence**

Senators GOLDFINCH and YOUNG recorded their presence subsequent to the Call of the Senate.

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

**Statewide Appointment**

Reappointment, Chief of South Carolina Law Enforcement Division, with the term to commence January 13, 2018, and to expire January 13, 2024

Mark Keel, State Law Enforcement Division  
4400 Broad River Road, Columbia, SC 29210

Referred to the Committee on Judiciary.

**Doctor of the Day**

Senators CAMPSEN and SENN introduced Dr. Michael T. Finch of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 11:08 A.M., Senator RANKIN requested a leave of absence for Senator GROOMS for the day.

**Leave of Absence**

At 11:08 A.M., Senator TIMMONS requested a leave of absence for Senator TALLEY for the day.

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**Leave of Absence**

At 11:12 A.M., Senator CAMPBELL requested a leave of absence for Senator CROMER for the day.

**Expression of Personal Interest**

Senator SHEHEEN rose for an Expression of Personal Interest.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 957 -- Senator Reese: 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 FOR A SECOND OR SUBSEQUENT OFFENSE IS A TWO-POINT VIOLATION.

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Read the first time and referred to the Committee on Transportation.

S. 958 -- Senator Corbin: A BILL TO AMEND SECTION 22-8-40 OF THE 1976 CODE, RELATING TO MAGISTRATE SALARIES, TO PROVIDE THAT A MAGISTRATE WHO IS LICENSED AND IN GOOD STANDING WITH THE SOUTH CAROLINA BAR SHALL HAVE TEN PERCENT ADDED TO HIS SALARY AS DETERMINED IN SUBSECTION (B).

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[SJ]

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Read the first time and referred to the Committee on Judiciary.

S. 959 -- Senator Corbin: 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.

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Read the first time and referred to the Committee on Judiciary.

H. 4375 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Martin, Magnuson, Bennett, Arrington, Daning, Weeks, Henderson and Govan: TO AMEND SECTION 58 33 220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE BASE LOAD REVIEW ACT, SO AS TO ADD CERTAIN DEFINITIONS; TO REPEAL ARTICLES 4 AND 5, CHAPTER 33, TITLE 58, RELATING TO THE BASE LOAD REVIEW ACT, AND TO PROVIDE A SPECIFIC EXCEPTION TO THIS REPEAL; BY ADDING CHAPTER 34 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES UNDER WHICH ELECTRICITY RATES FOR CERTAIN RATEPAYERS WHO ARE PAYING ADDITIONAL CHARGES UNDER THE BASE LOAD REVIEW ACT FOR THE CONSTRUCTION OF NUCLEAR PLANTS OR PROJECTS SHALL BE REVISED AND DETERMINED; AND TO PROVIDE FOR PROCEDURES AND PROVISIONS OF LAW WHICH APPLY AND DO NOT APPLY IN REGARD TO THE ADJUSTMENT OF ELECTRICITY RATES AS PROVIDED BY CHAPTER 34.

Read the first time and referred to the Committee on Judiciary.

H. 4792 -- Reps. Clemmons, Bernstein, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest,

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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 HONOR IRVING ROTH, A SURVIVOR OF THE AUSCHWITZ AND BUCHENWALD CONCENTRATION CAMPS, FOR HIS DEDICATION AND DETERMINATION IN EDUCATING PEOPLE ABOUT THE HOLOCAUST AND TO WELCOME HIM TO THE GREAT STATE OF SOUTH CAROLINA.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4793 -- Reps. Jordan, Alexander, Kirby, Lowe and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CHIEF LARUE HENDRIX OF THE WEST FLORENCE FIRE DEPARTMENT UPON THE OCCASION OF HIS RETIREMENT AFTER OVER FORTY-THREE YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4794 -- Reps. Clemmons, Bernstein, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis,

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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 AFFIRMING THE HISTORICAL CONNECTION OF THE JEWISH PEOPLE TO THE ANCIENT AND SACRED CITY OF JERUSALEM AND CONDEMNING EFFORTS AT THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION (UNESCO) TO DENY JUDAISM'S MILLENNIA-OLD HISTORICAL, RELIGIOUS, AND CULTURAL TIES TO JERUSALEM.

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

**REPORT OF STANDING COMMITTEE**

Senator DAVIS from the Committee on Invitations polled out H. 4716 favorable:

H. 4716 -- Rep. Bales: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE DENISE H. ROHAN, TO SOUTH CAROLINA AND INVITE HER TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, MARCH 6, 2018.

**Poll of the Invitations Committee  
Polled 11; Ayes 0; Nays 0**

**AYES**

Davis	Alexander	Reese
Campsen	Cromer	Malloy
Johnson	Nicholson	Hembree
Young	Goldfinch	

**Total--11**

**NAYS**

**Total--0**

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Ordered for consideration tomorrow.

**Appointments Reported**

Senator PEELER from the Committee on Medical Affairs submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2016, and to expire June 9, 2019

Nursing Home Administrator (Qualified Hospital Administrator):

Elizabeth A. Schaper, 580 Bethesda Road, Spartanburg, SC 29302  
*VICE* Melvin K. Hiatt

Received as information.

Reappointment, Medical Disciplinary Commission of the State Board of Medical Examiners, with the term to commence July 1, 2017, and to expire July 1, 2020

1st Congressional District:

Wade C. Arnette, 731 Royle Rd., Ladson, SC 29456

Received as information.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2017, and to expire June 9, 2020

Residential Care Administrator:

Timothy H. Slice, 171 Elm Creek Drive, Chapin, SC 29036

Received as information.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2017, and to expire June 30, 2021

4th Congressional District:

Christopher G. Neeley, 1132 Rutherford Rd., Greenville, SC 29609-3927  
*VICE* Catherine O. Fayssoux



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Received as information.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2018, and to expire June 9, 2021

Proprietary Nursing Home Administrator:

Julius B. Kinney, Jr., 201 Middle Brooke Dr., Anderson, SC 29621

Received as information.

#### **HOUSE CONCURRENCES**

S. 923 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO DECLARE JANUARY 31, 2018, AS OMPHALOCELE AWARENESS DAY IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO LEARN MORE ABOUT OMPHALOCELE AND MORE ABOUT HOW THEY CAN SUPPORT OMPHALOCELE PATIENTS AND THEIR FAMILIES.

Returned with concurrence.

Received as information.

S. 938 -- Senators Climer, Gregory, Peeler and Fanning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CAROWINDS BOULEVARD FROM THE NORTH CAROLINA-SOUTH CAROLINA BORDER TO THE JUNCTION OF CAROWINDS BOULEVARD AND INTERSTATE 77 IN YORK COUNTY, SOUTH CAROLINA "DETECTIVE MIKE DOTY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 941 -- Senator Verdin: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 18-24, 2018.

Returned with concurrence.

[SJ]

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Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**ORDERED ENROLLED FOR RATIFICATION**

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

H. 4268 -- Rep. Crawford: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO REDESIGNATE VARIOUS PRECINCTS AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

**READ THE THIRD TIME  
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 884 -- Senator Nicholson: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO RENAME CERTAIN PRECINCTS, 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.

S. 885 -- Senator Cromer: A BILL TO AMEND SECTION 7-7-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN NEWBERRY COUNTY, SO AS TO ELIMINATE THE PROSPERITY PRECINCT, TO ADD THE PROSPERITY CITY PRECINCT AND THE PROSPERITY OUTSIDE PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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**SECOND READING BILL**

The following Bill, having been read the second time, was ordered placed on the Third Reading Calendar:

H. 4397 -- Rep. Cobb-Hunter: A BILL TO AMEND AN ACT OF 2017, BEARING RATIFICATION NUMBER 127, RELATING TO THE CONSOLIDATION OF THE THREE SCHOOL DISTRICTS OF ORANGEBURG COUNTY INTO ONE SCHOOL DISTRICT EFFECTIVE JULY 1, 2019, SO AS TO REVISE PROVISIONS PERTAINING TO THE PREPARATION AND SUBMISSION OF THE BUDGET OF THE ORANGEBURG CONSOLIDATION TRANSITION COMMITTEE, AND TO REVISE CERTAIN OTHER PROVISIONS CONTAINING OBSOLETE 2017 LANGUAGE.

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 793 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PROPERTY TAX PROCEDURE ACT"; TO AMEND SECTION 12-60-30, RELATING TO SOUTH CAROLINA REVENUE PROCEDURES DEFINITIONS, SO AS TO PROVIDE DEFINITIONS; TO AMEND SECTION 12-60-450, RELATING TO APPEALS OF PROPOSED ASSESSMENTS, SO AS TO REQUIRE THE DEPARTMENT TO NOTIFY AFFECTED COUNTIES IN CERTAIN INSTANCES; TO AMEND SECTION 12-60-2120, RELATING TO PROPERTY TAX APPEALS BY WRITTEN PROTEST, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL NOTIFY ANY AFFECTED COUNTIES OF A WRITTEN PROTEST; TO AMEND SECTION 12-60-2140, RELATING TO CERTAIN PAYMENTS AND REFUNDS, SO AS TO PROVIDE THAT NO REFUND IS DUE FOR ANY TAX YEAR BEFORE THE THREE TAX YEARS IMMEDIATELY PRECEDING THE FINAL DETERMINATION; AND TO AMEND SECTION 12-60-2150, RELATING TO FILING A CLAIM FOR A REFUND, SO AS TO PROVIDE FOR CERTAIN NOTIFICATIONS AND TO PROVIDE THAT A FAILURE TO TIMELY ISSUE A WRITTEN NOTICE IS CONSIDERED A DENIAL.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG793C001.BBM.DG18), which was adopted:

[SJ]

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Amend the bill, as and if amended, by striking SECTION 5 and inserting:

/ SECTION 5. Section 12-60-2120(A) and (B) of the 1976 Code is amended to read:

“(A)(1) A property taxpayer may appeal a property tax assessment proposed by a division of the department by filing a written protest with the department.

(2) The department shall notify any affected counties of the written protest.

(B)(1) A property taxpayer may protest any denial of a tax exemption by the department for property he believes is exempt from property tax by filing a written protest with the department.

(2) If a written protest is filed by a taxpayer, other than an individual, then the department must notify any affected counties of the written protest.” /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 39; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Turner

[SJ]

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Verdin

Williams

Young

**Total--39**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**CARRIED OVER**

S. 841 -- Agriculture and Natural Resources Committee: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, SO AS TO PROVIDE THAT, EVERY FOUR YEARS, AT THEIR MANDATORY CONTINUING LEGAL EDUCATION PROGRAMS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE THAT A PERSON WHO CRUELLY TETHERS A DOG IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE PUNISHED BY IMPRISONMENT NOT EXCEEDING NINETY DAYS OR BY A FINE OF NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS, OR BOTH, FOR A FIRST OFFENSE, OR BY IMPRISONMENT NOT EXCEEDING TWO YEARS OR BY A FINE NOT EXCEEDING TWO THOUSAND DOLLARS, OR BOTH, FOR A SECOND OR SUBSEQUENT OFFENSE; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE THAT ALL HEALTHY, UNIDENTIFIABLE CATS FOUND OR PICKED UP FROM AN OUTSIDE AREA AND CONSIDERED STRAY MAY BE STERILIZED WITHIN TWENTY-FOUR HOURS AND THEN RETURNED TO THE AREA IN WHICH THEY WERE FOUND TWENTY-FOUR HOURS AFTER SURGERY;

[SJ]

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TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL UNDER THE PROVISIONS OF SECTION 47-1-150 AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AT THE BEGINNING OF EACH FISCAL YEAR AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, SUBJECT TO THE JURISDICTION OF THIS STATE, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE IF AN OFFICIAL DECLARATION OF A STATE OF EMERGENCY HAS BEEN MADE BY THE GOVERNOR AND AN OFFICIAL INVITATION HAS BEEN EXTENDED TO THE VETERINARIAN OR VETERINARY TECHNICIAN FOR A SPECIFIED TIME BY THE GOVERNOR WITHIN OR OUTSIDE THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE

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1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTERING STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator VERDIN, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED  
CARRIED OVER**

S. 587 -- Senators Timmons, Talley, Rice, Turner and Climer: A BILL TO AMEND SECTION 12-43-220(c) OF THE 1976 CODE, RELATING TO ASSESSMENT RATIOS, TO PROVIDE THAT, WHEN AN OWNER RECEIVING THE FOUR PERCENT ASSESSMENT RATIO DIES, THE PROPERTY SHALL CONTINUE TO RECEIVE THE SPECIAL ASSESSMENT RATE UNTIL THE DECEDENT'S ESTATE IS CLOSED, SO LONG AS THE PROPERTY IS NOT RENTED.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG587C003.BBM.DG18), which was adopted:

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

/ SECTION 1. Section 12-43-220(c) of the 1976 Code, as last amended by Act 251 of 2016, is further amended by adding an appropriately numbered subitem at the end to read:

“( ) Notwithstanding any other provision of law, when an owner receiving the special assessment rate pursuant to item (c) dies, the property shall continue to receive the special assessment rate until the decedent's estate is closed, upon the recording of a deed or deed of distribution out of the estate, or after December thirty-first of the year following the date of death, whichever occurs first. This subitem does not apply if the property is rented for more than seventy-two days in or following the calendar year of the decedent's death or if a change of use occurs.”

SECTION 2. This act takes effect upon approval by the Governor and applies to property tax years beginning after 2017. /

Renumber sections to conform.

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Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

**CARRIED OVER**

S. 759 -- Senator Rankin: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW AN EXEMPTION FOR THE DWELLING HOUSE AND ONE ACRE OF LAND FOR A PERSON WITH A BRAIN OR SPINAL CORD INJURY.

The Senate proceeded to the consideration of the Bill.

Senator CAMPBELL explained the committee amendment.

On motion of Senator HUTTO, the Bill was carried over.

**ADOPTED**

S. 873 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE MARCH 19, 2018, AS “WOMEN IN PUBLIC OFFICE DAY” IN SOUTH CAROLINA.

The Resolution was adopted, ordered sent to the House.

S. 875 -- Senator Reese: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 14, 2018, AND THE SECOND TUESDAY IN MARCH OF EACH YEAR THEREAFTER AS “SOUTH CAROLINA BANJO DAY” IN HONOR OF TODD “BANJOMAN” TAYLOR’S MUSICAL CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.

The Resolution was adopted, ordered sent to the House.

H. 3453 -- Reps. Herbkersman, W. Newton and Bowers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE NEW RIVER AT THE BEAUFORT/JASPER COUNTY LINE ALONG SOUTH CAROLINA HIGHWAY 46 THE “MELANIE LOWTHER MEMORIAL BRIDGE” AND TO PLACE



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APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 01, 2018, at 11:25 A.M. and the following Acts and Joint Resolutions were ratified:

(R131, S. 456) -- Senators Grooms and Shealy: AN ACT TO AMEND SECTION 56-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEGINNER'S PERMITS, SO AS TO PROVIDE THAT A PERSON WHO HOLDS A MOTORCYCLE BEGINNER'S PERMIT WHO HAS FAILED THE MOTORCYCLE DRIVER'S LICENSE TEST THREE OR MORE TIMES MUST COMPLETE SUCCESSFULLY A SOUTH CAROLINA TECHNICAL COLLEGE MOTORCYCLE SAFETY COURSE, OR ITS EQUIVALENT, IN LIEU OF PASSING THE MOTORCYCLE DRIVER'S LICENSE TEST, IN ORDER TO OBTAIN A MOTORCYCLE LICENSE; AND TO AMEND SECTION 56-1-770, RELATING TO POINTS REDUCED FOR COMPLETING A DEFENSIVE DRIVING COURSE, SO AS TO PROVIDE THAT ANY DRIVER WITH A CLASS M (MOTORCYCLE) ENDORSEMENT WHO HAS ACCUMULATED POINTS UNDER THE PROVISIONS OF THIS ARTICLE SHALL HAVE THE NUMBER OF HIS POINTS REDUCED BY FOUR UPON PROVING TO THE SATISFACTION OF THE DEPARTMENT OF MOTOR VEHICLES THAT HE HAS COMPLETED SUCCESSFULLY A SOUTH CAROLINA TECHNICAL COLLEGE MOTORCYCLE SAFETY COURSE OR ITS EQUIVALENT, TO PROVIDE FOR THE SPECIFICATIONS OF THE COURSE, AND TO PROVIDE THAT NO PERSON'S POINTS MAY BE REDUCED MORE THAN ONE TIME IN ANY THREE-YEAR PERIOD.

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(R132, S. 680) -- Senator Leatherman: AN ACT TO AMEND SECTION 7-7-260, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN FLORENCE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY

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THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO CORRECT OUTDATED REFERENCES TO THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R133, S. 882) -- Senator Rankin: AN ACT TO ADOPT REVISED CODE VOLUMES 15A AND 18 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE; AND TO ADOPT THE 2017 CUMULATIVE SUPPLEMENTS TO THE CODE OF LAWS AS PART OF THE CODE AND PROVIDE THAT THESE SUPPLEMENTS, VOLUMES AS SUPPLEMENTED BY THEM, AND THE REPLACEMENT VOLUMES CONSTITUTE THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2018.

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(R134, H. 4180) -- Reps. W. Newton, Erickson, Herbkersman, Bowers, Bradley and M. Rivers: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 4-3-75 AND 4-3-325 SO AS TO ALTER THE BOUNDARY LINES OF BEAUFORT AND JASPER COUNTIES BY ANNEXING A CERTAIN PORTION OF JASPER COUNTY TO BEAUFORT COUNTY AND A CERTAIN PORTION OF BEAUFORT COUNTY TO JASPER COUNTY AND MAKE PROVISIONS FOR LEGAL RECORDS.

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**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

At 11:39 A.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

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**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

**CARRIED OVER**

(R128, H3720) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

On motion of Senator SETZLER, the veto was carried over.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**READ THE THIRD TIME**

H. 3653 -- Reps. Forrester, Yow, Loftis, Henegan, Spires, Anderson, Burns, V.S. Moss, Crawford, Hamilton, Felder, Norman, Anthony, Chumley, Erickson, Gagnon, Hayes, Henderson, Hosey, Jefferson, S. Rivers, Ryhal, Sandifer, Thayer, Willis, Atkinson, Alexander, West, Hixon, Murphy, Arrington, Bennett and Crosby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 31 SO AS TO PROVIDE THE OPERATIONS OR EXPANSIONS OF MANUFACTURING AND INDUSTRIAL FACILITIES MAY NOT BE CONSIDERED PUBLIC OR PRIVATE NUISANCES IN CERTAIN CIRCUMSTANCES, TO PROVIDE RELATED FINDINGS, TO EXPLICITLY PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES TO THE CONTRARY, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE THAT THE PROVISIONS OF THIS ACT MAY NOT BE CONSTRUED TO MODIFY STATUTORY EMINENT DOMAIN LAWS OR ENVIRONMENTAL LAWS, AND TO PROVIDE THE PROVISIONS OF THIS ACT DO NOT APPLY TO NUISANCE ACTIONS COMMENCED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS CHAPTER.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

[SJ]

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**Recorded Vote**

Senator MARTIN desired to be recorded as voting against the third reading of the Bill.

**Motion Adopted**

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

**ADJOURNMENT**

At 11:42 A.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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