

NO. 21

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

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TUESDAY, FEBRUARY 13, 2018

**Tuesday, February 13, 2018**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 2:00 P.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:

Isaiah 40:1

The prophet Isaiah declared: "Comfort, O comfort my people, says your God."

Let us pray. God of grace and God of glory, we praise You as a loving God who desires that we be comforted. Yet we are not comforted. So often we are consumed by the problems of each day -- financial problems, health problems, demands at work and strained relationships. Help us, O God to turn these burdens over to You with the full assurance that You will heal the hurt that we carry.

With grateful hearts we honor and glorify You for Your sovereign care protects us and Your unending love comforts us. May Your name be honored and praised by all Your people in this Chamber and in this nation. Amen.

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

**Point of Quorum**

At 2:03 P.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 LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gregory	Grooms	Hembree
Johnson	Leatherman	Malloy
Martin	Massey	Rice
Scott	Senn	Setzler

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Talley	Timmons	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senator McELVEEN introduced Dr. Christopher Yeakel of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 2:37 P.M., Senator MARTIN requested a leave of absence for Senator SHEALY for the day.

**Leave of Absence**

At 2:46 P.M., Senator HEMBREE requested a leave of absence for Senator GOLDFINCH for the day.

**Expression of Personal Interest**

Senator GROOMS rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bills:

S. 435 Sen. Senn  
S. 828 Sen. Johnson  
S. 917 Sen. Scott

**OBJECTION**

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, 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,

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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.

Senator RANKIN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Judiciary.

Senator HUTTO objected.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 991 -- Senator Setzler: A SENATE RESOLUTION TO HONOR AND RECOGNIZE JOBS FOR AMERICA'S GRADUATES-SOUTH CAROLINA FOR ITS MANY YEARS OF OUTSTANDING SERVICE TO THE YOUTH OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 992 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA PORTS AUTHORITY'S PORT AMBASSADOR PROGRAM AND TO HONOR THE 2017-2018 PROGRAM PARTICIPANTS.

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

S. 993 -- Senator Senn: A BILL TO AMEND SECTION 38-53-170(e) OF THE 1976 CODE, RELATING TO THE PREMIUM AND COLLATERAL A BONDSMAN MAY ACCEPT FROM A PRINCIPAL; TO PROVIDE THAT THE MINIMUM PREMIUM A BONDSMAN MAY ACCEPT MUST BE AT LEAST FIVE PERCENT OF THE FACE AMOUNT OF THE BOND; AND TO AMEND CHAPTER 53, TITLE 38 OF THE 1976 CODE, RELATING TO BAIL BONDSMEN AND RUNNERS, BY ADDING SECTION 38-53-175, TO PROVIDE THAT A BONDSMAN OR RUNNER MUST ACCEPT

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AT LEAST FIVE PERCENT OF THE FACE AMOUNT OF A BOND BEFORE THE BOND MAY BE EXECUTED.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 994 -- Senator Rice: A BILL TO AMEND SECTION 1-11-710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY'S DUTY TO MAKE CERTAIN INSURANCE PLANS AVAILABLE TO STATE AND PUBLIC SCHOOL DISTRICT EMPLOYEES, SO AS TO REQUIRE THAT THE GROUP HEALTH PLAN COVER COLD CAP AND SCALP COOLING SYSTEMS, BEGINNING AUGUST 15, 2019.

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

S. 995 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3685 SO AS TO ALLOW AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP FUNDING ORGANIZATION THAT PROVIDES GRANTS FOR STUDENTS TO ATTEND CERTAIN INDEPENDENT AND HOME SCHOOLS, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO SPECIFY THE PROCESS BY WHICH CERTAIN ORGANIZATIONS AND SCHOOLS BECOME ELIGIBLE, TO SPECIFY CERTAIN INFORMATION WHICH MUST BE MADE PUBLIC, AND TO ALLOW THE DEPARTMENT OF REVENUE TO ENFORCE THE PROVISIONS OF THE CREDIT.

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

S. 996 -- Senator Cromer: A BILL TO AMEND CHAPTER 20, TITLE 37 OF THE 1976 CODE, RELATING TO CONSUMER IDENTITY THEFT PROTECTION, BY ADDING SECTION 37-20-210, TO PROHIBIT A TELEMARKETER OR TELEPHONE SOLICITOR FROM MAKING A CONSUMER TELEPHONE CALL WITH A SPOOFED TELEPHONE NUMBER THAT DISPLAYS A SOUTH CAROLINA AREA CODE ON THE RECIPIENT'S CALLER IDENTIFICATION SYSTEM UNLESS THE TELEMARKETER OR TELEPHONE SOLICITOR MAINTAINS A PHYSICAL PRESENCE

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IN THE STATE, TO PROVIDE REMEDIES FOR VIOLATIONS, TO PROVIDE EXCEPTIONS, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 997 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4766, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 998 -- 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 4776, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 999 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-MANUFACTURED HOUSING BOARD, RELATING TO LICENSE RENEWAL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4798, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1000 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE

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DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4761, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1001 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF ELEVATORS AND AMUSEMENT RIDES, RELATING TO FEE SCHEDULES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4793, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1002 -- Senators Cromer, Scott, Climer, Goldfinch, Bennett and Timmons: A JOINT RESOLUTION TO CREATE THE SOUTH CAROLINA STATE FLAG STUDY COMMITTEE CHARGED WITH PROPOSING AN OFFICIAL, UNIFORM DESIGN FOR THE STATE FLAG.

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Read the first time and referred to the General Committee.

S. 1003 -- Senators Young and Shealy: A BILL TO AMEND SECTIONS 63-17-1420(C) AND (D); 63-17-1440(A) AND (B); 63-17-1460(A), (E), (F) AND (G); 63-17-1470; 63-17-1480; 63-17-1500; AND 63-17-1520 OF THE 1976 CODE, RELATING TO INCOME WITHHOLDING TO ENFORCE CHILD SUPPORT, TO REMOVE ANY REFERENCE TO "CLERK OF COURT" AND INSERT THE TERM "AUTHORIZED AGENCY," AND TO DEFINE THE TERM "AUTHORIZED AGENCY."

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

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S. 1004 -- Senators Setzler and J. Matthews: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE DUCE STALEY, RUNNING BACKS COACH FOR THE PHILADELPHIA EAGLES AND VETERAN OF THE SOUTH CAROLINA ATHLETIC HALL OF FAME, FOR HIS SIGNIFICANT ROLE IN HELPING THE PHILADELPHIA EAGLES TO THEIR STUNNING VICTORY IN SUPER BOWL LII AND TO WISH HIM CONTINUED SUCCESS THROUGHOUT HIS PROFESSIONAL FOOTBALL COACHING CAREER.

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The Senate Resolution was adopted.

S. 1005 -- Senator McLeod: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE, UPON THE PASSING OF RETIRED SERGEANT MAJOR BEDE ANYAELEZU NTIASAGWE OF THE NIGERIAN ARMY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1006 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE AND HONOR CHESTER COUNTY SHERIFF ALEX UNDERWOOD FOR HIS MORE THAN THIRTY YEARS OF DISTINGUISHED SERVICE IN LAW ENFORCEMENT TO THE PEOPLE OF SOUTH CAROLINA AND TO EXPRESS DEEP GRATITUDE FOR THAT SACRIFICIAL SERVICE.

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The Senate Resolution was adopted.

S. 1007 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LEWISVILLE HIGH SCHOOL VARSITY BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2017 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.



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S. 1008 -- Senators Kimpson and M. B. Matthews: A SENATE RESOLUTION TO HONOR AND RECOGNIZE JUDGE RICHARD E. FIELDS FOR HIS LIFETIME OF SERVICE AND ENDURING CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

H. 4688 -- Reps. Jefferson, Crosby, Daning, Knight, Brawley and Gilliard: A CONCURRENT RESOLUTION TO RAISE THE AWARENESS OF THE BRADLEY BLAKE FOUNDATION SURROUNDING THE ISSUE OF GUN VIOLENCE AND TO DECLARE THE MONTH OF JUNE 2018 "GUN VIOLENCE AWARENESS MONTH".

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

H. 4868 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 9-4-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUDIT OF THE PUBLIC EMPLOYEE BENEFIT AUTHORITY, SO AS TO CHANGE THE DATE THE AUDIT MUST BE COMPLETED.

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

H. 4869 -- Rep. G. M. Smith: A BILL TO AMEND SECTIONS 9-1-1650, 9-9-70, 9-9-100, 9-11-110, ALL AS AMENDED, AND 9-11-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN AMOUNTS TO BE PAID UPON TERMINATION OF EMPLOYMENT, OPTIONAL FORMS OF ALLOWANCE, CERTAIN PAYMENTS ON DEATH OF A MEMBER OR BENEFICIARY, CERTAIN LUMP PAYMENTS TO BE PAID IN THE EVENT OF DEATH, AND THE SUPPLEMENTAL ALLOWANCE PROGRAM, RESPECTIVELY, SO AS TO REMOVE CERTAIN NOTARIZATION REQUIREMENTS.

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

H. 4870 -- Reps. B. Newton, Norrell, Yow and Lucas: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO ADD ONE PRECINCT, AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND

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AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

**REPORT OF STANDING COMMITTEE**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 812 -- Senator Hembree: A BILL TO AMEND SECTION 33-57-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RAFFLES CONDUCTED BY NONPROFIT ORGANIZATIONS FOR CHARITABLE PURPOSES, SO AS TO INCREASE THE VALUE OF NONCASH PRIZES ALLOWED FOR THESE RAFFLES; AND TO AMEND SECTION 33-57-140, RELATING TO STANDARDS FOR THESE RAFFLES, SO AS TO INCREASE THE ALLOWANCE FOR THE PRICE OF A RAFFLE TICKET PRODUCED BY NONPROFIT ORGANIZATIONS FOR CHARITABLE PURPOSES.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 973 -- Senator Young: A CONCURRENT RESOLUTION TO RECOGNIZE THE THIRD FULL WEEK OF APRIL 2018 AS "SHAKEN BABY SYNDROME AWARENESS WEEK", TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME, AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

Returned with concurrence.

Received as information.

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

**COMMITTEE AMENDMENT ADOPTED  
REMOVED FROM CONSENT CALENDAR**

S. 866 -- Senators Cromer, Scott, Reese, Verdin, J. Matthews and Nicholson: A BILL TO PROVIDE THAT TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT SHALL BE REPEALED ON JANUARY 1, 2029.

The Senate proceeded to a consideration of the Bill.

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The Committee on Finance proposed the following amendment (DG\866C002.BBM.DG18), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Notwithstanding SECTION 2.B. of Act 134 of 2016, the provisions contained in Section 12-6-3587 of the 1976 Code relating to geothermal machinery and equipment are repealed January 1, 2022./

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was moved to the Statewide Second Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED  
REMOVED FROM CONSENT CALENDAR**

S. 916 -- Senator Cromer: A BILL TO AMEND SECTION 48-52-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM TEN ADDITIONAL YEARS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\916C002.BBM.DG18), which was adopted:

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

/ SECTION 1. Section 48-52-870(A) of the 1976 Code, as added by Act 354 of 2008, is amended to read:

“(A) The Energy Efficient Manufactured Homes Incentive Program is established to provide financial incentives for the purchase and installation of energy efficient manufactured homes in South Carolina. Any person who purchases a manufactured home designated by the United States Environmental Protection Agency and the United States Department of Energy as meeting or exceeding each agency’s energy saving efficiency requirements or which has been designated as meeting or exceeding such requirements under each agency’s ENERGY STAR program from a retail dealership licensed by the South Carolina

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Manufactured Housing Board for use in this State is eligible for a nonrefundable income tax credit equal to seven hundred fifty dollars. The credit may be claimed beginning July 1, 2009, and no later than July 1, ~~2019~~ 2024.”

SECTION 2. The first undesignated paragraph after the last item of Section 12-36-2110(B) of the 1976 Code is amended to read:

“However, a manufactured home is exempt from any tax in excess of three hundred dollars that may be due as a result of the calculation in item (4) if it meets these energy efficiency levels: storm or double pane glass windows, insulated or storm doors, a minimum thermal resistance rating of the insulation only of R-11 for walls, R-19 for floors, and R-30 for ceilings. However, variations in the energy efficiency levels for walls, floors, and ceilings are allowed and the exemption on tax due above three hundred dollars applies if the total heat loss does not exceed that calculated using the levels of R-11 for walls, R-19 for floors, and R-30 for ceilings. The edition of the American Society of Heating, Refrigerating, and Air Conditioning Engineers Guide in effect at the time is the source for heat loss calculation. Notwithstanding the provisions of this subsection, from July 1, 2009, to July 1, ~~2019~~ 2024, a manufactured home is exempt from any tax that may be due as a result of the calculation in this subsection if it has been designated by the United States Environmental Protection Agency and the United States Department of Energy as meeting or exceeding each agency’s energy saving efficiency requirements or has been designated as meeting or exceeding such requirements under each agency’s ENERGY STAR program. The dealer selling the manufactured home must maintain records, on forms provided by the State Energy Office, on each manufactured home sold that meets the energy efficiency levels provided for in this subsection. These records must be maintained for three years and must be made available for inspection upon request of the Department of Consumer Affairs or the State Energy Office.”

SECTION 3. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was moved to the Statewide Second Reading Calendar.

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**COMMITTEE AMENDMENT ADOPTED  
REMOVED FROM CONSENT CALENDAR**

S. 917 -- Senator Kimpson: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE EXPENDITURE OF THE STATE ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, SO AS TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG917C002.BBM.DG18), which was adopted:

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

/ SECTION 1. A. Section 6-1-530(A) of the 1976 Code is amended to read:

“(A) The revenue generated by the local accommodations tax must be used exclusively for the following purposes:

(1) tourism-related buildings including, but not limited to, civic centers, coliseums, and aquariums;

(2) tourism-related cultural, recreational, or historic facilities;

(3) beach access, renourishment, or other tourism-related lands and water access;

(4) highways, roads, streets, and bridges providing access to tourist destinations;

(5) advertisements and promotions related to tourism development; ~~or~~

(6) water and sewer infrastructure to serve tourism-related demand; or

(7) control and repair of flooding and drainage within or on tourism-related lands or areas.”

B. Section 6-1-530 of the 1976 Code, as last amended by Act 290 of 2010, is amended further by adding an appropriately lettered subsection at the end to read:

“( ) If applying the provisions of subsection (A)(7), the revenues must be expended exclusively on public works projects designed to eliminate or mitigate adverse effects of recurrent nuisance tidal flooding, including that which is attributable to sea-level rise, or other recurrent flooding. Such adverse effects include road closures and other transportation

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disruptions, storm-water drainage issues, and compromised public infrastructure. The public works projects must be within or on tourism related lands or areas. Revenues must not be used to pay claims or otherwise settle litigation that may arise from time to time due to the harmful impacts of nuisance or other flooding.”

SECTION 2. A. Section 6-1-730(A) of the 1976 Code is amended to read:

“(A) The revenue generated by the hospitality tax must be used exclusively for the following purposes:

(1) tourism-related buildings including, but not limited to, civic centers, coliseums, and aquariums;

(2) tourism-related cultural, recreational, or historic facilities;

(3) beach access and renourishment;

(4) highways, roads, streets, and bridges providing access to tourist destinations;

(5) advertisements and promotions related to tourism development; or

(6) water and sewer infrastructure to serve tourism-related demand; or

(7) control and repair of flooding and drainage within or on tourism-related lands or areas.”

B. Section 6-1-730 of the 1976 Code, as last amended by Act 290 of 2010, is amended further by adding an appropriately lettered subsection at the end to read:

“( ) If applying the provisions of subsection (A)(7), the revenues must be expended exclusively on public works projects designed to eliminate or mitigate adverse effects of recurrent nuisance tidal flooding, including that which is attributable to sea-level rise, or other recurrent flooding. Such adverse effects include road closures and other transportation disruptions, storm-water drainage issues, and compromised public infrastructure. The public works projects must be within or on tourism related lands or areas. Revenues must not be used to pay claims or otherwise settle litigation that may arise from time to time due to the harmful impacts of nuisance or other flooding.”

SECTION 3. Section 6-4-10(4)(b) of the 1976 Code, as last amended by Act 184 of 2014, is further amended to read:

“(b) The funds received by a county or municipality which has a high concentration of tourism activity may be used to provide additional county and municipal services including, but not limited to, law enforcement, traffic control, public facilities, and highway and street maintenance, as well as the continual promotion of tourism. The funds

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must not be used as an additional source of revenue to provide services normally provided by the county or municipality but to promote tourism and enlarge its economic benefits through advertising, promotion, and providing those facilities and services which enhance the ability of the county or municipality to attract and provide for tourists.

‘Tourism-related expenditures’ include:

- (i) advertising and promotion of tourism so as to develop and increase tourist attendance through the generation of publicity;
- (ii) promotion of the arts and cultural events;
- (iii) construction, maintenance, and operation of facilities for civic and cultural activities including construction and maintenance of access and other nearby roads and utilities for the facilities;
- (iv) the criminal justice system, law enforcement, fire protection, solid waste collection, and health facilities when required to serve tourists and tourist facilities. This is based on the estimated percentage of costs directly attributed to tourists;
- (v) public facilities such as restrooms, dressing rooms, parks, and parking lots;
- (vi) tourist shuttle transportation;
- (vii) control and repair of waterfront erosion, including beach renourishment;
- (viii) operating visitor information centers;
- (ix) control and repair of flooding and drainage within or on tourism-related lands or areas.

If applying the provisions of item (b)(ix) relating to flooding and drainage, the revenues must be expended exclusively on public works projects designed to eliminate or mitigate adverse effects of recurrent nuisance tidal flooding, including that which is attributable to sea-level rise, or other recurrent flooding. Such adverse effects include road closures and other transportation disruptions, storm-water drainage issues, and compromised public infrastructure. The public works projects must be within or on tourism related lands or areas. Revenues must not be used to pay claims or otherwise settle litigation that may arise from time to time due to the harmful impacts of nuisance or other flooding.”

SECTION 4. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

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The amendment was adopted.

On motion of Senator MALLOY, the Bill was moved to the Statewide Second Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 913 -- Senator Campsen: A BILL TO AMEND SECTION 50-9-740(B) OF THE 1976 CODE, RELATING TO YOUTH HUNTING DAYS, TO PROVIDE THAT A LICENSE OR TAG REQUIRED PURSUANT TO CHAPTER 9, TITLE 50 IS WAIVED FOR A YOUTH HUNTER ON A YOUTH HUNTING DAY.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (913R001.DR.RWC), which was adopted:

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

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

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

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.



**TUESDAY, FEBRUARY 13, 2018**

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

**Ayes 40; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gregory	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

**Total--40**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

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

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (933R001.DR.SFT), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/SECTION 2. This act takes effect on July 1, 2018. /

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Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the 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 40; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gregory	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

**Total--40**

**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. 971 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION -

[SJ]

**TUESDAY, FEBRUARY 13, 2018**

BOARD OF REGISTRATION FOR FORESTERS, RELATING TO LICENSURE FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4769, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

S. 972 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4799, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was 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.

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

#### **OBJECTION**

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

Senator MALLOY objected to consideration of the Bill.

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

**MOTION ADOPTED**

At 2:39 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

**HAVING DISPENSED WITH THE MOTION PERIOD, 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 MARTIN, the veto was carried over.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CONCURRENCE**

S. 185 -- Senator Shealy: A BILL TO AMEND SECTION 40-19-20(1) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "ADVERTISEMENT" AS USED IN REGARD TO EMBALMERS AND FUNERAL DIRECTORS, BY ADDING THE TERM "INTERNET" TO THE DEFINITION OF ADVERTISEMENT; TO AMEND SECTION 40-19-20 OF THE 1976 CODE BY ADDING A DEFINITION FOR THE TERM "THIRD PARTY FUNERAL SERVICE PROVIDER"; AND TO AMEND CHAPTER 19, TITLE 40 OF THE 1976 CODE, BY ADDING SECTION 40-19-40, TO PROVIDE THAT THIRD PARTY FUNERAL SERVICE PROVIDERS MUST BE LICENSED BY THE STATE BOARD OF FUNERAL SERVICE, TO PROVIDE NOTICE AND DISCLOSURE REQUIREMENTS FOR THIRD PARTY FUNERAL SERVICE PROVIDER ADVERTISEMENTS, TO PROVIDE FOR LICENSE REVOCATION FOR VIOLATIONS OF THE ADVERTISING

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REQUIREMENTS, TO PROVIDE THAT THE STATE BOARD OF FUNERAL SERVICE SHALL PRESCRIBE THE FORMAT OF ADVERTISEMENT DISCLOSURE BY REGULATION, AND TO PROVIDE THAT THIRD PARTY FUNERAL SERVICE PROVIDERS MUST DISCLOSE TO CUSTOMERS THE NAME AND CONTACT INFORMATION OF THE FUNERAL ESTABLISHMENT THAT WILL BE IN CHARGE OF HANDLING ALL FUNERAL ARRANGEMENTS.

The House returned the Bill with amendments, the question being concurrence in the House amendment.

Senator ALEXANDER explained the amendment.

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

**Ayes 39; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Corbin	Cromer	Davis
Gregory	Grooms	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Sheheen
Talley	Timmons	Turner
Verdin	Williams	Young

**Total--39**

**NAYS**

**Total--0**

On motion of Senator ALEXANDER, the Senate concurred in the House amendment and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

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

**DEBATE INTERRUPTED**

S. 954 -- Senators Leatherman, Setzler, Massey and Fanning: A JOINT RESOLUTION TO PROHIBIT THE PUBLIC SERVICE COMMISSION FROM ISSUING AN ORDER FOR REQUESTS MADE PURSUANT TO THE BASE LOAD REVIEW ACT UNTIL NINETY DAYS AFTER THE SOUTH CAROLINA GENERAL ASSEMBLY ADJOURNS SINE DIE FOR THE 2018 LEGISLATIVE SESSION, BUT TO PERMIT AN EXPERIMENTAL RATE ORDER TO REVISE ELECTRIC RATES IN ACCORDANCE WITH CHAPTER 34, TITLE 58.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Resolution.

**Amendment No. 1**

Senator MASSEY proposed the following amendment (JUD0954.003):

Amend the joint resolution, as and if amended, by striking SECTION 1, lines 23-29 on page 1 and inserting:

/ SECTION 1. The Public Service Commission shall not issue a final order for a docket in which requests were made pursuant to the Base Load Review Act until ninety days after the South Carolina General Assembly adjourns Sine Die for the 2018 legislative session. No final determination of these requests, whether by a final order issued by the Public Service Commission or by operation of law, shall occur during this time period. The Public Service Commission's failure to issue a final order as required by this Joint Resolution shall not constitute approval by the Public Service Commission and a utility must not put into effect the change in rates it requested in its schedule. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Debate was interrupted by adjournment.

**Motion Adopted**

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

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**MOTION ADOPTED**

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Judith Scott Denning of Columbia, S.C. Judy was a member of Tri-City Baptist Church. She was an executive assistant for three South Carolina Governors and was designated "A Palmetto Lady" by Governor Edwards. Judy retired as an administrative assistant from the South Carolina Senate where she worked with Senator Hayes and the Ethics Committee. She also worked for Senators ALEXANDER and Russell during her time in the Senate. Judy enjoyed quilting, gardening, home renovations and was the creator of Kelly Dolls. Judy was a loving mother and devoted grandmother who will be dearly missed.

**ADJOURNMENT**

At 3:34 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 12:00 Noon.

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