

NO. 34

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

WEDNESDAY, MARCH 7, 2018

Wednesday, March 7, 2018
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 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:

Psalm 25:8,9

“Good and upright is the Lord; therefore he instructs sinners in the way. He leads the humble in what is right, and teaches the humble his way.”

Let us pray. Gracious and Loving God, Your mercy and steadfast love surrounds us and sustains us each day. However, as we move through these majestic halls and serve within these powerful Chambers, it is difficult indeed to be humble. We ask Your forgiveness, O Lord, for every thought and every deed inspired by pride or by selfish ambition. Create in us humble hearts that seek to glorify You and You alone as we labor each day to make our State a better place for all to live. Through Your Holy name we pray, Amen.

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

Point of Quorum

At 1:03 P.M., Senator PEELER 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
Campsen	Cash	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
Peeler	Rice	Senn
Setzler	Shealy	Talley

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Timmons Turner Young

A quorum being present, the Senate resumed.

ACTING PRESIDENT PRESIDES

Senator CROMER assumed the Chair.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Quenton M. Wood, 354 Twin Oaks Dr., Spartanburg, SC 29306 *VICE* James Buckingham Paslay

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

David S. Kelley, 1501 North Jones Road, Olanta, SC 29114-9466 *VICE* James McCutchen

Doctor of the Day

Senator TALLEY introduced Dr. Kevin Walker of Greenville, S.C., Doctor of the Day.

Leave of Absence

At 2:44 P.M., Senator HUTTO requested a leave of absence for Senator MATTHEWS for the balance of the day.

Leave of Absence

At 2:50 P.M., Senator BENNETT requested a leave of absence for Senator TURNER until 5:00 P.M.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 11 Sen. M.B. Matthews

S. 757 Sen. Kimpson

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S. 809 Sen. Rice
S. 949 Sen. Senn
S. 1067 Sen. Alexander
S. 1072 Sen. Hembree

RECOMMITTED

S. 445 -- Senator Hembree: A BILL TO AMEND SECTION 59-40-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA CHARTER SCHOOLS ACT OF 1996, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 59-40-50, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF CHARTER SCHOOL BOARDS, SO AS TO REVISE AND ADD REQUIREMENTS CONCERNING NONCERTIFIED TEACHER QUALIFICATIONS, GOVERNANCE, NEPOTISM, AND USE OF PROGRAM FUNDING FOR TRANSPORTATION; TO AMEND SECTION 59-40-55, AS AMENDED, RELATING TO CHARTER SCHOOL SPONSORS, SO AS TO REVISE REQUIREMENTS CONCERNING CHARTER SCHOOL CONTRACTS, REPORTING REQUIREMENTS, NOTIFICATION OF IDENTIFIED PROBLEMS, ADMISSIONS PROCEDURES, LIMITS ON STATE APPROPRIATIONS SCHOOLS MAY RECEIVE, AND RESERVE FUNDS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-60, AS AMENDED, RELATING TO CHARTER SCHOOL FORMATION PROCEDURES, SO AS TO REVISE REQUIREMENTS CONCERNING CHARTER AMENDMENT PROCEDURES, PUBLIC MEETINGS, AND TRANSFER OF GOVERNANCE AND OPERATIONS OF NEW CHARTER SCHOOLS FROM CHARTER COMMITTEES TO CHARTER SCHOOL LEADERS AND BOARDS; TO AMEND SECTION 59-40-70, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATION PROCEDURES, SO AS TO REVISE PROCEDURES CONCERNING SUBMISSION OF LETTERS OF INTENT, POWERS OF SCHOOL BOARDS TO REQUEST INFORMATION FROM CHARTER APPLICANTS, APPLICATION MATERIALS REQUIRED FOR SUBMISSION, AND SPONSOR REVIEW OF APPLICATIONS AND RESPONSES TO APPLICATIONS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-80, AS AMENDED, RELATING TO CONDITIONAL AUTHORIZATIONS OF CHARTER SCHOOLS, SO AS TO ALLOW CERTAIN AMENDMENTS TO CHARTER SCHOOL APPLICATIONS OR

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FORM AGREEMENTS CONCERNING PREOPENING BENCHMARKS REGARDING ENROLLMENT, TO PROVIDE SPONSOR DECISIONS TO GRANT OR DENY CONDITIONAL APPROVAL ARE NOT SUBJECT TO APPEAL, AND TO PROVIDE OPTIONAL OUTCOMES FOR CONDITIONALLY APPROVED CHARTER SCHOOLS THAT FAIL TO MEET CONDITIONS FOR CHARTER APPROVAL; TO AMEND SECTION 59-40-110, AS AMENDED, RELATING TO DURATIONS, RENEWALS, REVOCATIONS, AND TERMINATIONS OF CHARTERS, SO AS TO PROVIDE CHARTER SCHOOLS MUST BE CONSIDERED ACCREDITED PUBLIC SCHOOLS UPON CHARTER APPROVAL AND SUBMISSION OF REQUIRED ANNUAL REPORTS, AND TO SPECIFY THE EVENT THAT BEGINS THE TEN-YEAR TERMS OF CHARTERS; TO AMEND SECTION 59-40-115, AS AMENDED, RELATING TO TERMINATION OF CONTRACTS WITH SPONSORS, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH CHARTERS MAY SEEK AND OBTAIN ALTERNATE SPONSORS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-140, AS AMENDED, RELATING TO CHARTER SCHOOL FUNDING, SO AS TO REQUIRE REPORTS OF CERTAIN FEDERAL FUNDS RETAINED BY SPONSORS; TO AMEND SECTION 59-40-150, AS AMENDED, RELATING TO DUTIES OF THE STATE DEPARTMENT OF EDUCATION TO DISSEMINATE INFORMATION ABOUT CHARTER SCHOOLS' FORMATION AND OPERATION AND TO PROVIDE A DIRECTORY OF AUTHORIZED CHARTER SCHOOLS, SO AS TO REVISE THE SPECIFIC REQUIREMENTS OF THESE DUTIES; TO AMEND SECTION 59-40-170, AS AMENDED, RELATING TO THE DUTY OF THE DEPARTMENT TO MAINTAIN AND PROVIDE A LIST OF SCHOOL BUILDINGS SUITABLE AND AVAILABLE FOR CHARTER SCHOOL USE, SO AS TO PROVIDE THE LIST BE MADE AVAILABLE ONLINE AND BE UPDATED AT LEAST ANNUALLY; TO AMEND SECTION 59-40-175, AS AMENDED, RELATING TO THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM, SO AS TO PROVIDE THE STATE TREASURER MAY USE PROGRAM FUNDS TO CREATE A DEBT RESERVE FUND TO ENHANCE THE ABILITY OF CHARTER SCHOOLS TO OBTAIN FAVORABLE FINANCING TERMS ON CERTAIN BONDS TO FINANCE CHARTER SCHOOL CAPITAL PROJECTS AND CREDIT ENHANCEMENTS, AND TO PROVIDE RELATED REQUIREMENTS AND PROCEDURES; TO AMEND SECTION

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59-40-180, AS AMENDED, RELATING TO DUTIES OF THE DEPARTMENT TO PROMULGATE CERTAIN REGULATIONS AND GUIDELINES, SO AS TO REVISE REQUIREMENTS CONCERNING GUIDELINES FOR APPLICATIONS PROCEDURES; TO AMEND SECTION 59-40-230, AS AMENDED, RELATING TO SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT BOARD OF TRUSTEES, SO AS TO REVISE REQUIREMENTS CONCERNING VACANCIES ON THE BOARD; AND TO REPEAL SECTION 59-40-200 RELATING TO THE EFFECT OF ESTABLISHMENT OF SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICTS ON PENDING AND FUTURE APPLICATIONS.

On motion of Senator HEMBREE, the Bill was recommitted to Committee on Education.

S. 534 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1940 SO AS TO PROVIDE THE EDUCATION OVERSIGHT COMMITTEE SHALL DESIGN AND PILOT CERTAIN DISTRICT ACCOUNTABILITY MODELS THAT FOCUS ON COMPETENCY-BASED EDUCATION; BY ADDING SECTION 59-18-1950 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF A STATE LONGITUDINAL DATA SYSTEM FOR MEASURING THE CONTINUOUS IMPROVEMENT OF PUBLIC EDUCATION AND THE COLLEGE READINESS AND CAREER READINESS OF PUBLIC SCHOOL GRADUATES, AND TO PROVIDE RELATED FINDINGS; BY ADDING SECTION 59-18-1960 SO AS TO PROVIDE THE MEASURING OF STUDENT PROGRESS OR GROWTH USING A VALUE-ADDED SYSTEM; TO AMEND SECTION 59-18-100, AS AMENDED, RELATING TO THE PURPOSE OF THE ACCOUNTABILITY SYSTEM IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO PROVIDE ADDITIONAL PURPOSES CONCERNING THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-120, AS AMENDED, RELATING TO DEFINITIONS IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO REVISE AND ADD DEFINED TERMS; TO AMEND SECTION 59-18-310, AS AMENDED, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM FOR MEASURING STUDENT PERFORMANCE, SO AS TO DELETE OBSOLETE LANGUAGE AND TO DELETE PROVISIONS CONCERNING THE TIMING FOR

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ADMINISTERING CERTAIN ASSESSMENTS; TO AMEND SECTION 59-18-320, AS AMENDED, RELATING TO THE ADMINISTRATION OF CERTAIN STATEWIDE STANDARDS-BASED ASSESSMENTS, SO AS TO DELETE OBSOLETE PROVISIONS CONCERNING THE NO CHILD LEFT BEHIND ACT, AND TO DELETE PROVISIONS CONCERNING PERFORMANCE LEVEL RESULTS IN VARIOUS CORE SUBJECT AREAS; TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO COLLEGE AND CAREER READINESS SUMMATIVE ASSESSMENTS, SO AS TO REVISE PROCUREMENT AND ADMINISTRATION PROVISIONS AND THE TIME AFTER WHICH RESULTS OF SUCH ASSESSMENTS MAY BE INCLUDED IN SCHOOL RATINGS; TO AMEND SECTION 59-18-330, AS AMENDED, RELATING TO THE COORDINATION AND ADMINISTRATION OF THE NATIONAL ASSESSMENT OF EDUCATION PROGRESS, SO AS TO PROVIDE THE STATE SHALL PARTICIPATE AS AN INDIVIDUAL EDUCATION SYSTEM IN THE PROGRAM FOR INTERNATIONAL STUDENT ASSESSMENT AND TO PROVIDE ASSOCIATED RESPONSIBILITIES OF THE STATE DEPARTMENT OF EDUCATION; TO AMEND SECTION 59-18-340, AS AMENDED, RELATING TO THE MANDATORY PROVISION OF STATE-FUNDED ASSESSMENTS SO AS TO DELETE ONE SUCH ASSESSMENT AND INCLUDE TWO ADDITIONAL ASSESSMENTS; TO AMEND SECTION 59-18-900, AS AMENDED, RELATING TO THE COMPREHENSIVE ANNUAL REPORT CARD FOR SCHOOLS, SO AS TO PROVIDE IT IS WEB-BASED, TO REVISE THE PURPOSES OF THE REPORT CARD, TO REVISE AND DEFINE CATEGORIES OF ACADEMIC PERFORMANCE RATINGS, TO PROVIDE THE SAME CATEGORIES ALSO MUST BE ASSIGNED TO INDIVIDUAL INDICATORS USED TO MEASURE SCHOOL PERFORMANCE, TO MAKE THE USE OF STUDENT SCORES IN CALCULATING SCHOOL RATINGS BE OPTIONAL INSTEAD OF MANDATORY, TO DELETE STUDENT PERFORMANCE LEVELS, TO PROVIDE THE REPORT CARD MUST INCLUDE INDICATORS THAT MEET FEDERAL LAW REQUIREMENTS, TO INCLUDE DROPOUT RETENTION DATA AND ACCESS TO TECHNOLOGY AMONG THE TYPES OF INFORMATION THAT SHOULD BE INCLUDED IN REPORT CARDS, AND TO REVISE REQUIREMENTS FOR RELATED SCHOOL IMPROVEMENT COUNCIL REPORTS; TO

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AMEND SECTION 59-18-910, AS AMENDED, RELATING TO COMPREHENSIVE CYCLICAL REVIEWS OF THE ACCOUNTABILITY SYSTEM, SO AS TO REQUIRE THE INCLUSION OF CERTAIN RECOMMENDATIONS DETERMINING THE READINESS OF GRADUATING STUDENTS IN CERTAIN CATEGORIES RELATED TO THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-920, AS AMENDED, RELATING TO CHARTER SCHOOLS, SO AS TO PROVIDE DATA REQUIRED OF A CHARTER SCHOOL MAY BE USED TO DEVELOP A RATING OF THE SCHOOL, TO DELETE EXISTING PROVISIONS CONCERNING THE CHARTER SCHOOL RATINGS, TO DELETE PROVISIONS PROHIBITING USE OF CHARTER SCHOOL STUDENT PERFORMANCE IN A DISTRICT'S OVERALL PERFORMANCE RATINGS; TO AMEND SECTION 59-18-930, AS AMENDED, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT ANNUALLY ISSUE AN EXECUTIVE SUMMARY OF THE REPORT CARD, SO AS TO PROVIDE THE DEPARTMENT INSTEAD MAY PUBLISH THE REPORT ON ITS WEBSITE IN A CERTAIN MANNER, AND TO PROVIDE CERTAIN NATIONAL ASSESSMENT SCORES MAY BE INCLUDED; AND TO REPEAL SECTION 59-18-950 RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS.

On motion of Senator HEMBREE, the Bill was recommitted to Committee on Education.

RECALLED AND ADOPTED

S. 1089 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE MARCH 13, 2018 AS "4-H DAY" IN SOUTH CAROLINA AND TO COMMEND MS. LINDSEY SCOTT, DR. PAM ARDERN, AND THE 2018 4-H LEADERSHIP TEAM FOR THEIR NUMEROUS ACCOMPLISHMENTS AND OUTSTANDING LEADERSHIP.

Senator VERDIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Agriculture and Natural Resources.

The Resolution was recalled from the Committee on Agriculture and Natural Resources.

Senator VERDIN asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

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There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator VERDIN, the Resolution was adopted and ordered sent to the House.

RECALLED AND COMMITTED

S. 756 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 28, TITLE 44 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF THE "DISABLED SELF-EMPLOYMENT DEVELOPMENT TRUST FUND", TO PROVIDE ASSISTANCE TO INDIVIDUALS WITH DISABILITIES TO PURSUE ENTREPRENEURSHIP AND SELF-EMPLOYMENT OPPORTUNITIES, AND TO PROVIDE BUSINESS DEVELOPMENT GRANTS FOR THE STARTUP, EXPANSION, OR ACQUISITION OF A BUSINESS OPERATED WITHIN THE STATE; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT FOR TAXPAYER CONTRIBUTIONS TO THE FUND; AND TO AMEND SECTION 12-6-5060, AS AMENDED, RELATING TO TAX RETURNS, SO AS TO ADD THE FUND TO THE LIST OF FUNDS TO WHICH A TAXPAYER MAY CONTRIBUTE ON A STATE INDIVIDUAL TAX RETURN.

Senator LEATHERMAN asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

There was no objection and the Bill was recalled from the Committee on Medical Affairs.

On motion of Senator LEATHERMAN, with unanimous consent, the Bill was committed to the Committee on Finance.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 7, 2018, at 1:15 P.M. and the following Acts and Joint Resolutions were ratified:

(R138, S. 105) -- Senators Rankin, Goldfinch and Verdin: AN ACT TO AMEND SECTION 1-23-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HEARINGS AND

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PROCEEDINGS IN CONTESTED CASES IN THE ADMINISTRATIVE LAW COURT, SO AS TO FURTHER PROVIDE FOR THE IMPOSITION AND DURATION OF STAYS INVOLVING CONTESTED CASES BEFORE THE ADMINISTRATIVE LAW COURT, THE MANNER IN WHICH AND REQUIREMENTS UNDER WHICH THESE STAYS MAY BE LIFTED, EXCEPTIONS TO THE GENERAL PROVISION REGARDING THE LIFTING OF STAYS, AND WHEN THE COURT MUST RENDER A FINAL DECISION ON THE MERITS OF THE CONTESTED CASE; AND TO AMEND SECTION 1-23-670, RELATING TO FILING FEES AND RELATED MATTERS BEFORE THE ADMINISTRATIVE LAW COURT, SO AS TO FURTHER PROVIDE FOR THE SANCTIONS WHICH MAY BE IMPOSED REGARDING FRIVOLOUS CASES.

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(R139, S. 185) -- Senator Shealy: AN ACT TO AMEND SECTION 40-19-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS CONCERNING THE REGULATION OF FUNERAL SERVICE PROVIDERS, SO AS TO DEFINE NECESSARY TERMS; AND TO AMEND SECTION 40-19-110, RELATING TO THE PROHIBITED USE OF FALSE OR MISLEADING ADVERTISING BY FUNERAL SERVICE PROVIDERS, SO AS TO PROVIDE REQUIREMENTS FOR FUNERAL SERVICE ADVERTISEMENTS.

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(R140, S. 884) -- Senator Nicholson: AN ACT TO AMEND SECTION 7-7-290, 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.

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(R141, S. 885) -- Senator Cromer: AN ACT TO AMEND SECTION 7-7-420, 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

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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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(R142, S. 955) -- Senators Alexander, Hutto, Setzler, Rankin, Massey and Leatherman: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC UTILITIES REVIEW COMMITTEE SHALL RESUME SCREENING CANDIDATES FOR THE PUBLIC SERVICE COMMISSION, SEATS 2, 4, AND 6, SHALL ADVERTISE FOR THESE POSITIONS FOR AN ADDITIONAL TIME PERIOD BEGINNING NO LATER THAN FEBRUARY 16, 2018, THROUGH MARCH 23, 2018, AND SHALL ACCEPT APPLICATIONS FROM FEBRUARY 22, 2018, THROUGH NOON ON MARCH 26, 2018.
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(R143, H. 3649) -- Reps. Crawford and Sandifer: AN ACT TO AMEND SECTION 40-3-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO PROVIDE THE BOARD MAY OFFER ADVICE AND RECOMMENDATIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION CONCERNING THE DEVELOPMENT OF CERTAIN STATUTORY REVISIONS AND OTHER MATTERS AS THE DEPARTMENT REQUESTS; TO AMEND SECTION 40-3-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO REVISE THIS JURISDICTION; AND TO AMEND SECTION 40-22-280, RELATING TO EXEMPTIONS FOR CERTAIN PLANS AND SPECIFICATIONS FROM PROVISIONS REGULATING ENGINEERS AND SURVEYORS, SO AS TO EXEMPT SUCH PLANS AND SPECIFICATIONS FOR CERTAIN BUILDINGS AND STRUCTURES LESS THAN THREE STORIES HIGH AND LESS THAN FIVE THOUSAND SQUARE FEET IN AREA.
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(R144, H. 3929) -- Reps. Hiott, Pitts, Kirby, Forrest, Yow, Sandifer, Atkinson, Hayes, Hixon, V.S. Moss, S. Rivers, Magnuson, Long, Chumley, Burns, Loftis and Gagnon: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-65 SO AS TO ESTABLISH SPECIFIC

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REQUIREMENTS FOR THE REVIEW AND APPEAL OF DECISIONS BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) REGARDING THE PERMITTING, LICENSING, CERTIFICATION OR OTHER APPROVAL OF POULTRY AND OTHER ANIMAL FACILITIES, EXCEPT SWINE FACILITIES; TO AMEND SECTION 44-1-60, RELATING TO APPEALS FROM DHEC DECISIONS GIVING RISE TO CONTESTED CASES, SO AS TO REVISE AND CLARIFY PROCEDURES FOR REVIEWING PERMITS FOR POULTRY AND OTHER ANIMAL FACILITIES, EXCEPT SWINE FACILITIES; AND TO AMEND SECTION 46-45-80, RELATING TO SETBACK DISTANCES FOR POULTRY AND OTHER ANIMAL FACILITIES, EXCEPT SWINE FACILITIES, SO AS TO PROHIBIT DHEC FROM REQUIRING ADDITIONAL SETBACK DISTANCES IF ESTABLISHED DISTANCES ARE ACHIEVED, TO ALLOW WAIVER OF THE ESTABLISHED SETBACK DISTANCES IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.
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(R145, H. 4005) -- Reps. J.E. Smith and Clary: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DECLARE THE THIRD WEEK IN OCTOBER OF EACH YEAR AS "SOUTH CAROLINA NATIVE PLANT WEEK" AND ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE THE ESSENTIAL VALUE AND IMPORTANCE OF THE NATIVE PLANTS OF SOUTH CAROLINA TO OUR STATE'S HISTORY, ECONOMIC LANDSCAPE, AND ENVIRONMENT.
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(R146, H. 4272) -- Reps. Spires and Forrest: AN ACT TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.
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(R147, H. 4397) -- Rep. Cobb-Hunter: AN ACT 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

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DISTRICT EFFECTIVE JULY 1, 2019, SO AS TO REVISE PROVISIONS PERTAINING TO THE MEMBERSHIP, DUTIES, FUNCTIONS, AND REQUIREMENTS OF THE ORANGEBURG SCHOOL CONSOLIDATION TRANSITION COMMITTEE.
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(R148, H. 4858) -- Reps. Kirby, Yow, Clyburn, Gilliard, Cobb-Hunter, Williams, McKnight, Robinson-Simpson, Brawley, Alexander, Norrell, Ott, Atwater, Jefferson, Bernstein, Wheeler, McGinnis, Douglas, Hosey, Henderson-Myers, Trantham, Arrington, Stavrinakis, Davis, Magnuson, B. Newton, Bamberg, McCravy, J.E. Smith, Bales, Bennett, Brown, Cogswell, Crosby, Dillard, Elliott, Felder, Forrest, Johnson, Loftis, Lowe, V.S. Moss, Pendarvis, Pitts, M. Rivers, G.R. Smith, Taylor, Thigpen, Young, Henegan, Anderson, McEachern and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-240 SO AS TO DESIGNATE THE TWENTY-FIRST DAY OF OCTOBER OF EACH YEAR AS "DR. RONALD MCNAIR DAY" IN SOUTH CAROLINA.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1095 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE NEWBERRY HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE CLASS 3A GIRLS STATE BASKETBALL CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 1096 -- Senators Alexander, Sheheen, Goldfinch, Shealy, Hutto, Gambrell, Nicholson, Johnson, Talley, Senn, McElveen and Kimpson: A BILL TO AMEND SECTION 16-3-600(B)(1) OF THE 1976 CODE, RELATING TO VARIOUS ASSAULT AND BATTERY OFFENSES, TO PROVIDE THAT A PERSON COMMITS THE OFFENSE OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE IF HE UNLAWFULLY INJURES A HEALTH CARE PROFESSIONAL, INCLUDING, BUT NOT LIMITED TO, AN

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EMERGENCY MEDICAL SERVICE PROVIDER, A FIREFIGHTER, AN EMERGENCY ROOM PHYSICIAN, AN EMERGENCY ROOM NURSE, OR AN ALLIED HEALTH CARE WORKER, DURING THE COURSE OF HIS DUTIES, AND KNOWS OR HAS REASON TO KNOW OF THE INJURED PERSON'S STATUS OR INJURES SOMEONE IN A HEALTH CARE FACILITY, AS DEFINED BY SECTION 44-7-130(10), OR A PHYSICIAN'S OFFICE.

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

S. 1097 -- Senators Martin and Turner: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF I-385 AND BRIDGES ROAD "TROOPER DANIEL K. REBMAN, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THIS DESIGNATION.

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

S. 1098 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 10, 2018 AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

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

S. 1099 -- Senator Campbell: A BILL TO AMEND SECTION 48-20-280 OF THE 1976 CODE, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA MINING ACT, TO ADD EXEMPTIONS FOR THE DEPARTMENT OF COMMERCE, DIVISION OF PUBLIC RAILWAYS, AND PERSONS ACTING UNDER CONTRACT WITH THE DEPARTMENT OF COMMERCE.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1100 -- Senator Grooms: A BILL TO AMEND SECTION 12-6-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SECTIONS OF THE INTERNAL REVENUE CODE SPECIFICALLY NOT ADOPTED BY THIS STATE, SO AS TO REMOVE THE ALTERNATIVE TAX ON QUALIFYING SHIPPING ACTIVITIES; AND TO AMEND SECTION 12-6-1110, RELATING TO MODIFICATIONS OF INCOME, SO AS TO MAKE A CONFORMING CHANGE.

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

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

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

S. 1102 -- Senator Goldfinch: A BILL TO AMEND CHAPTER 5, TITLE 59 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE STATE BOARD OF EDUCATION, TO ADD SECTION 59-5-200 TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH REGULATIONS TO ALLOW INSTRUCTORS OF MILITARY SCIENCE AUTHORIZATION TO A CARRY FIREARM ON A SCHOOL CAMPUS IN WHICH HE IS EMPLOYED, TO INCLUDE THE ESTABLISHMENT OF MINIMUM TRAINING REQUIREMENTS, CERTIFICATION, AND EVALUATIONS; TO AMEND ARTICLE 1, CHAPTER 19, TITLE 59, BY ADDING SECTION 59-19-370 RELATING TO LOCAL SCHOOL BOARDS OF TRUSTEES TO PROVIDE THAT A LOCAL SCHOOL BOARD MAY AUTHORIZE AN INSTRUCTOR OF MILITARY SCIENCE TO CARRY A FIREARM ON A SCHOOL CAMPUS, AND TO PROVIDE FOR POLICY REQUIREMENTS AND NECESSARY TRAINING; AND TO AMEND CHAPTER 23, TITLE 23 BY

WEDNESDAY, MARCH 7, 2018

ADDING SECTION 23-23-150 TO REQUIRE THE LAW ENFORCEMENT TRAINING COUNCIL TO DEVELOP A TRAINING PROGRAM RELATING TO POSSESSION OF FIREARMS ON SCHOOL CAMPUSES.

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

H. 5058 -- Rep. Williams: A CONCURRENT RESOLUTION TO HONOR AND CELEBRATE MRS. EULA MAE GRAHAM CUMMINGS ON THE OCCASION OF HER ONE HUNDRED THIRD BIRTHDAY ON JUNE 22, 2018, AND TO WISH HER MANY MORE YEARS OF HAPPINESS AND FULFILLMENT.

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

H. 5072 -- Reps. Allison, Alexander, 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, 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 EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM FOR ITS OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING OUR STATE'S WORKFORCE AND TO DECLARE APRIL 4, 2018, AS "SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY".

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

WEDNESDAY, MARCH 7, 2018

H. 5079 -- Rep. Douglas: A CONCURRENT RESOLUTION TO HONOR CANCER PATIENTS, SURVIVORS, AND THEIR FAMILIES, TO REMEMBER THOSE PEOPLE WHO HAVE BEEN LOST TO CANCER, AND TO DECLARE WEDNESDAY, MARCH 7, 2018, AS "SUITS AND SNEAKERS DAY" IN SOUTH CAROLINA.

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

PRESIDENT PRESIDES

At 1:35 P.M., the PRESIDENT assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator CAMPSER from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4807 -- Reps. Hixon, Hiott, Kirby and Yow: A BILL TO AMEND SECTION 7 OF ACT 41 OF 2015, RELATING TO THE ACT'S TIME EFFECTIVE CLAUSE, SO AS TO EXTEND THE PERIOD IN WHICH WILD TURKEY SEASONS AND BAG LIMITS FOR CERTAIN COUNTIES ARE SUSPENDED.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary polled out H. 4977 favorable:

H. 4977 -- Reps. G.M. Smith, Simrill and Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125 SO AS 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 SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED FOR THE OFFICE OF GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7-13-315 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301 SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS

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AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR JOINTLY ELECTED STATEWIDE CANDIDATES ARE THREE THOUSAND FIVE HUNDRED DOLLARS; TO AMEND SECTION 7-11-15, RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE, AMONG OTHER THINGS, IF MARCH THIRTIETH, THE DEADLINE FOR FILING IS ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY; AND TO AMEND SECTION 7-13-45, RELATING TO THE ESTABLISHMENT OF HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS.

**Poll of the Judiciary Committee
Polled 20; Ayes 16; Nays 4; Not Voting 3**

AYES

Rankin	Hutto	Campsen
Massey	McElveen	Shealy
Turner	Young	Climer
Gambrell	Goldfinch	Rice
Senn	Talley	Timmons
Cash		

Total--16

NAYS

Johnson	Sabb	<i>Margie Matthews</i>
McLeod		

Total--4

NOT VOTING

Malloy	Kimpson	Fanning
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Total--3

Ordered for consideration tomorrow.

WEDNESDAY, MARCH 7, 2018

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Reappointment, Chief of South Carolina Law Enforcement Division, with the term to commence January 31, 2018, and to expire January 31, 2024

Mark Keel, State Law Enforcement Division
530 Bookman Mill Road, Columbia, SC 29063

Received as information.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2017, and to expire June 30, 2021

At-Large:

Tammie L. Wilson, 1405 Loner Rd., Blythewood, SC 29016-9057

Received as information.

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2017, and to expire June 30, 2021

1st Congressional District:

Kenneth E. Battle, 8538 Royal Palms Lane, North Charleston, SC 29420

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2017, and to expire April 1, 2020

Senate - Majority:

Samuel L. Erwin, 6 Hollow Hill, Greenville, SC 29607 *VICE* Rick Reames (resigned)

Received as information.

HOUSE CONCURRENCE

S. 1080 -- Senator J. Matthews: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE INDEPENDENT COLLEGES AND UNIVERSITIES IN SOUTH

WEDNESDAY, MARCH 7, 2018

CAROLINA DURING “INDEPENDENT COLLEGE AND UNIVERSITY WEEK,” APRIL 9 THROUGH 13, 2018, AND “INDEPENDENT COLLEGE AND UNIVERSITY DAY,” APRIL 6, 2018, AND TO HONOR THEM FOR THEIR OUTSTANDING CONTRIBUTIONS IN EDUCATING FUTURE LEADERS FOR OUR STATE AND NATION.

Returned with concurrence.

Received as information.

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

**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. 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.

S. 815 -- Senators Gambrell, Shealy, Senn and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-2150 SO AS TO ESTABLISH PROHIBITED ACTS FOR PHARMACY BENEFIT MANAGERS AND TO PROVIDE EXCEPTIONS UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 38-71-2130, RELATING TO THE DUTIES OF A PHARMACY BENEFIT MANAGER, SO AS TO REQUIRE A PHARMACY BENEFIT MANAGER TO REIMBURSE A PROVIDER WITHIN SEVEN BUSINESS DAYS OF PAYMENT BY A PAYOR.

READ THE SECOND TIME

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

WEDNESDAY, MARCH 7, 2018

REIMPOSED AT THE 2016 GENERAL ELECTION IS DELAYED
UNTIL MAY 1, 2020, AND EXPIRES ON APRIL 30, 2027.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 891 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION
44-37-50 OF THE 1976 CODE, RELATING TO INFORMATION
THAT MUST BE MADE AVAILABLE TO PARENTS OF

WEDNESDAY, MARCH 7, 2018

NEWBORNS, TO INCLUDE SAFE SLEEP PRACTICES AND THE CAUSES OF SUDDEN UNEXPECTED INFANT DEATH SYNDROME IN THE INFORMATION THAT MUST BE PROVIDED.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (WAB\891C001.AGM.WAB18), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 2 in its entirety and inserting:

/ SECTION 2. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS 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 42; Nays 0

AYES

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

Total--42

WEDNESDAY, MARCH 7, 2018

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. 949 -- Senators M.B. Matthews, Malloy, Rice, Cash and Massey: A BILL TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-435, TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION PURSUANT TO SECTION 24-21-430 ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF SUCH PERSON.

The Senate proceeded to a consideration of the Bill.

The Committee on Corrections and Penology proposed the following amendment (949R003.DR.SRM), which was adopted:

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

/SECTION 1. Article 5, Chapter 21, Title 24 of the 1976 Code is amended by adding:

“Section 24-21-435. (A) Probation officers, court personnel, county and municipal personnel, public officials, charitable organizations, and private volunteers that allow those who are on probation to participate in community service programs pursuant to Section 24-21-430 are not liable for civil damages, unless an injury or damages result from the gross negligence, recklessness, or intentional misconduct of such person or organization.

(B) Nothing in this section shall be construed as granting immunity to a driver transporting a probationer to community service or a motorist who, by his negligence, injures a probationer on community service.

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(C) Nothing in this section shall be construed as granting a probationer who is voluntarily completing community service as a condition of probation pursuant to Section 24-21-430 any claim under workers' compensation."

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator TURNER 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 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

WEDNESDAY, MARCH 7, 2018

READ THE SECOND TIME

S. 1073 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF NURSING, RELATING TO NURSE LICENSURE COMPACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4779, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator VERDIN explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

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READ THE SECOND TIME

S. 1074 -- Medical Affairs 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.

The Senate proceeded to a consideration of the Resolution.

Senator VERDIN explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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The Resolution was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1075 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, RELATING TO ARTICLES 4, 5, 7, AND 8 OF CHAPTER 126, DESIGNATED AS REGULATION DOCUMENT NUMBER 4746, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator VERDIN explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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The Resolution was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1076 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4801, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.
Senator VERDIN explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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The Resolution was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1077 -- Medical Affairs 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.

The Senate proceeded to a consideration of the Resolution.

Senator VERDIN explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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The Resolution was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3926 -- Rep. Spires: A BILL TO AMEND SECTION 40-43-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO DEFINE ADDITIONAL TERMS; TO AMEND SECTION 40-43-86, RELATING TO COMPOUNDING PHARMACIES, SO AS TO REVISE MINIMUM GOOD COMPOUNDING PRACTICES, TO PROVIDE A PHARMACIST MUST PERFORM A FINAL CHECK ON A PREPARATION COMPOUNDED BY A PHARMACY TECHNICIAN, TO MODIFY REQUIREMENTS FOR AN AREA USED FOR COMPOUNDING IN A PHARMACY, TO PROVIDE PHARMACISTS SHALL ENSURE CERTAIN EXPECTED FEATURES OF INGREDIENTS USED IN A FORMULATION, TO PROVIDE A MEANS FOR DETERMINING THE MAXIMUM BEYOND-USE DATE OF AN EXCESS AMOUNT OF A SPECIFIC COMPOUND IN CERTAIN CIRCUMSTANCES, TO REQUIRE CERTAIN WRITTEN POLICIES AND PROCEDURES APPLICABLE TO A COMPOUNDING AREA, AND TO PROVIDE THAT MATERIAL DATA SAFETY MUST BE READILY ACCESSIBLE TO PHARMACY PERSONNEL WHO WORK WITH DRUG SUBSTANCES OR BULK CHEMICALS, AND TO DELETE OBSOLETE LANGUAGE; AND TO AMEND SECTION 40-43-88, RELATING TO THE HANDLING OF STERILE PREPARATION BY PHARMACIES, SO AS TO REVISE ASSOCIATED STANDARDS AND TO BROADEN THE APPLICATION OF THESE STANDARDS TO INCLUDE OTHER FACILITIES PERMITTED BY THE BOARD, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Alexander

Allen

Bennett

[SJ]

29

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

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4827 -- Rep. Henderson: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE SEIZURE SAFETY IN SCHOOLS STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM JANUARY 31, 2018, TO JANUARY 31, 2019.

The Senate proceeded to a consideration of the Resolution.

Senator DAVIS explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

[SJ]

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Davis	Fanning	Goldfinch
Gregory	Grooms	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED
READ THE SECOND TIME**

S. 11 -- Senators Davis and Campsen: 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.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN proposed the following amendment (CZ\11C004.NBD.CZ18), which was adopted:

Amend the committee report, as and if amended, SECTION 1, by striking Section 38-75-485(C)(1)(f)(ii) and inserting:

/ (ii) Nonmatching grant award amounts will be determined based on the cost of the mitigation project and a percentage of the total adjusted household income of the applicant according to the most recent federal income tax return. Those applicants with a total annual adjusted gross household income of which does not exceed eighty percent of the median annual adjusted gross income for households within the county in which the person or family resides may be eligible for the maximum grant

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award amount of five thousand dollars. ~~Applicants with a higher total annual adjusted household income may be awarded a lower amount.~~ The director or his designee shall issue a bulletin annually that sets forth the maximum grant award amounts based on the total annual adjusted gross household income of the applicant adjusted for family size relative to the county area median income or the state median family income, whichever is higher, as published annually by the United States Department of Housing and Urban Development. If the cost of the mitigation project exceeds the amount of the grant award, the remaining cost is the applicant's responsibility. No grant award may exceed five thousand dollars. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

The Committee on Finance proposed the following amendment (CZ\11C002.NBD.CZ18), which was adopted:

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

/ SECTION 1. Section 38-75-485 of the 1976 Code is amended to read:

“Section 38-75-485. (A) There is established within the Department of Insurance, the South Carolina Hurricane and Flood Damage Mitigation Program. The advisory committee, established pursuant to Section 38-75-470, shall provide advice and assistance to the program administrator with regard to his administration of the program.

(B) This section does not create an entitlement for property owners or obligate the State in any way to fund the inspection or retrofitting of residential property in this State. Implementation of this program is subject to annual legislative appropriations.

(C) The program shall develop and implement a comprehensive and coordinated approach for hurricane and flood damage mitigation that includes the following:

(1) The program may award matching or nonmatching grants based upon the availability of funds. The program administrator also shall apply for financial grants to be used to assist single-family, site-built or manufactured or modular, owner-occupied, residential property owners to retrofit their primary legal residence to make them less vulnerable to hurricane or flood damage.

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(a) To be eligible for a matching grant, a residential property must:

- (i) be the applicant's primary legal residence;
- (ii) be actually owned and occupied by the applicant;
- (iii) be the owner's legal residence as described in Section 12-43-220(c);

- (iv) be a single family, site-built, manufactured, or modular, owner-occupied residential property;

- (v) be a residential property covered by a current homeowners or dwelling insurance policy that:

- (A) is issued by an insurer licensed in this State or a surplus lines insurer, where the policy is lawfully placed by a broker authorized to do business in this State; and

- (B) provides insurance coverage of the residential property equal to or greater than the fair market value of the residential property as defined in Section 12-37-3135(a)(2) and reflected in the county records;

- (vi) have undergone an acceptable wind certification and hurricane mitigation inspection or flood inspection in accordance with program requirements.

(b) All matching grants must be matched on a dollar-for-dollar basis for a total of ten thousand dollars for the mitigation project. No grant issued by the program for any mitigation project for a residential property may exceed five thousand dollars.

(c) The program must create a process in which mitigation contractors agree to participate and seek reimbursement from the State and homeowners selected from a list of participating contractors. All mitigation projects must be based upon the securing of all required local permits and inspections. Mitigation projects are subject to random reinspection. The program may reinspect up to ten percent of all projects.

(d) Matching fund grants also must be made available to local governments and nonprofit entities, on a first-come, first-served basis, for projects that reduce hurricane damage to single-family, site-built or manufactured or modular owner-occupied, residential property, provided that:

- (i) no matching grant for any one local government or nonprofit entity may exceed fifty thousand dollars in any fiscal year;

- (ii) the total amount of matching grants awarded to all local governments and nonprofit entities combined may not exceed two hundred fifty thousand dollars in any fiscal year; and

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(iii) the difference between two hundred fifty thousand dollars and the total amount of grants awarded to all local governments and nonprofit entities combined in any fiscal year may be applied to grants to individual homeowners who meet the qualifications for a grant described in subitems (a) through (d) or in subitem (g).

(e) Grants may be used for the following improvements:

- (i) roof deck attachment;
- (ii) secondary water barrier;
- (iii) roof covering;
- (iv) brace gable ends;
- (v) reinforce roof-to-wall connections;
- (vi) opening protection;
- (vii) exterior doors, including garage doors;
- (viii) tie downs;
- (ix) problems associated with weakened trusses, studs, and other structural components;
- (x) inspection and repair or replacement of manufactured home piers, anchors, and tiedown straps; ~~and~~
- (xi) raise the dwelling above the minimum required elevation standards;
- (xii) add vents to enclosures;
- (xiii) install breakaway walls;
- (xiv) relocate the dwelling further from the flood source, if possible; and
- (xv) any other mitigation techniques approved by the advisory committee.

(f) To be eligible for a nonmatching grant, a residential property must comply with the requirements set forth in subsection (C)(1)(a), (c), and (e).

(i) For nonmatching grants, applicants who otherwise meet the requirements of subitems (a), (c), and (e) may be eligible for a grant of up to five thousand dollars and may not be required to provide a matching amount to receive the grant. These grants must be used to retrofit single-family, site-built or manufactured or modular, owner-occupied, residential properties in order to make them less vulnerable to hurricane or flood damage. The grant must be used for the retrofitting measures set forth in Section 38-75-485(C)(1)(e).

(ii) Nonmatching grant award amounts will be determined based on the cost of the mitigation project and a percentage of the total adjusted household income of the applicant according to the most recent federal income tax return. Those applicants with a total annual adjusted

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gross household income of which does not exceed eighty percent of the median annual adjusted gross income for households within the county in which the person or family resides may be eligible for the maximum grant award amount of five thousand dollars. Applicants with a higher total annual adjusted household income may be awarded a lower amount. The director or his designee shall issue a bulletin annually that sets forth the maximum grant award amounts based on the total annual adjusted gross household income of the applicant adjusted for family size relative to the county area median income or the state median family income, whichever is higher, as published annually by the United States Department of Housing and Urban Development. If the cost of the mitigation project exceeds the amount of the grant award, the remaining cost is the applicant's responsibility. No grant award may exceed five thousand dollars.

(2) The department shall define by regulation the details of the mitigation measures necessary to qualify for the grants described in this section.

(3) Multimedia public education, awareness, and advertising efforts designed to specifically address mitigation techniques must be employed, as well as a component to support ongoing consumer resources and referral services.

(4) The department shall use its best efforts to obtain grants or funds from the federal government to supplement the financial resources of the program. In addition to state appropriations, if any, this program must be implemented by the department through the use of the premium taxes due to this State by the South Carolina Wind and Hail Underwriting Association, and one percent of the premium taxes collected annually and remitted to the Department of Insurance. On July 1, 2018, and July 1, 2019, the amount of remitted premium tax the department may use to implement this program is increased by one percent so that when fully phased-in on July 1, 2019, the department may use three percent of the remitted premium taxes to implement this program.

(5) The director or his designee may promulgate regulations necessary to implement the provisions of this article.” /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

Senator DAVIS explained the Bill.

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The question then was second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED
READ THE SECOND TIME**

H. 3513 -- Reps. Anthony and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-45 SO AS TO PROVIDE RETIRED EDUCATOR TEACHING CERTIFICATES FOR PEOPLE WHO MEET CERTAIN CRITERIA, TO PROVIDE INITIAL RETIRED EDUCATOR CERTIFICATES ARE VALID FOR THIRTY YEARS AND MAY BE RENEWED, AND TO PROVIDE RELATED REQUIREMENTS AND CONDITIONS.

The Senate proceeded to a consideration of the Bill.

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Senator TURNER proposed the following amendment (3513R001.SP.RT), which was adopted:

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

/ SECTION 1. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59-26-45. (A) A retired educator certificate is a renewable certificate established in regulation by the State Board of Education that allows a retired South Carolina educator to be eligible to maintain certification for the purpose of substituting. A person is initially eligible for a South Carolina retired educator certificate if he:

(1) held a valid South Carolina renewable, professional educator certificate at the time of retirement;

(2) is either a:

(i) retired member of the South Carolina Retirement System; or

(ii) current or former participant in the State Optional Retirement Program who would have met the eligibility requirements for retirement under the South Carolina Retirement System had he participated in that system rather than the State Optional Retirement Program;

(3) does not hold another valid South Carolina educator certificate and has never held a valid South Carolina educator certificate that has been suspended, revoked, or voluntarily surrendered; and

(4) meets all other qualifications to serve as a substitute educator as specified in state statute, regulation, and guidelines.

(B) An individual meeting the eligibility requirements and desirous of a certificate, including a renewal certificate, must submit the request in the manner specified in regulation and guidelines.

(1) A retired educator certificate approved and issued is valid for five years from the date of each issuance.

(2) A certificate may be renewed and, if approved, is valid for five years from the date of each issuance.

(3) Department guidelines shall include the timeline, forms, and a process for submitting and approving or denying certificate or renewal requests.

(4) Renewal of a retired educator certificate does not require completion of professional learning or renewal credit.

(C) Any new or renewed certificate is invalidated upon issuance of any other South Carolina educator certificate.

(D) An educator who works under the retired certificate must work under the agreement and rate of pay established for this purpose by the

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hiring district. Section 59-25-150 shall apply to any retired educator certificate.

(E) Nothing in this section exempts an educator from taking part in professional development that is required by a local school district.

(F) The State Board of Education shall develop regulations for, and the department shall establish guidelines and procedures for, the implementation of this section.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The Committee on Education proposed the following amendment (WAB\3513C001.AGM.WAB18), which was adopted:

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

/ SECTION 1. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59-26-45. (A) A Retired Educator certificate is a renewable certificate established in regulation by the State Board of Education that allows a retired South Carolina educator to be eligible to maintain certification for the purpose of substitute teaching. A person is initially eligible for a South Carolina Retired Educator certificate if he:

(1) held a valid South Carolina renewable, professional educator certificate at the time of retirement;

(2) is either a:

(i) retired member of the South Carolina Retirement System; or

(ii) current or former participant in the State Optional Retirement Program who would have met the eligibility requirements for retirement under the South Carolina Retirement System had he participated in that system rather than the State Optional Retirement Program.

(3) does not hold another valid South Carolina educator certificate, and has never held a valid South Carolina educator certificate that has been suspended, revoked, or voluntarily surrendered;

(4) meets all other qualifications to serve as a substitute teacher as specified in state statute, regulation, and guidelines.

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(B) An individual meeting the eligibility requirements and desirous of a certificate, including a renewal certificate, must submit the request in the manner specified in regulation and guidelines.

(1) A Retired Educator certificate approved and issued is valid for five years from the date of each issuance.

(2) A certificate may be renewed and, if approved, is valid for five years from the date of each issuance.

(3) Department guidelines shall include the timeline, forms, and a process for submitting and approving or denying certificate or renewal requests.

(4) Renewal of a retired educator certificate does not require completion of professional learning or renewal credit.

(C) Any new or renewed certificate is invalidated upon issuance of any other South Carolina educator certificate.

(D) An educator who works under the retired certificate must work under the agreement and rate of pay established for this purpose by the hiring district. Section 59-25-150 shall apply to any Retired Educator certificate.

(E) Nothing in this section exempts an educator from taking part in professional development that is required by the local school district.

(F) The State Board of Education shall develop regulations for, and the department shall establish guidelines and procedures for, the implementation of this section.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

[SJ]

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Goldfinch	Gregory	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Timmons
Verdin	Young	

Total--41

NAYS

Total--0

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

REMOVED FROM CONSENT CALENDAR

H. 3125 -- Reps. McEachern, Pitts and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-645 SO AS TO ALLOW TEMPORARY PLACEMENT OF A CHILD WITH A RELATIVE OR ALTERNATIVE CAREGIVER PURSUANT TO A SAFETY PLAN, TO PROVIDE REQUIREMENTS FOR A SAFETY PLAN, AND TO LIMIT THE DURATION OF A SAFETY PLAN TO NINETY DAYS, WITH EXCEPTIONS; BY ADDING SUBARTICLE 10 TO ARTICLE 3, CHAPTER 7, TITLE 63 SO AS TO ALLOW DSS TO OFFER PROTECTIVE SERVICES PURSUANT TO A CHILD AND FAMILY PLAN IN CERTAIN CHILD ABUSE OR NEGLECT MATTERS, TO PROVIDE REQUIREMENTS FOR A CHILD AND FAMILY PLAN, TO LIMIT THE DURATION OF A CHILD AND FAMILY PLAN TO SIX MONTHS, WITH EXCEPTIONS, AND TO PROVIDE FOR TERMINATION OF FAMILY PRESERVATION SERVICES; TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO DEFINITIONS USED IN CHAPTER 7, TITLE 63, SO AS TO ADD DEFINITIONS FOR "SAFETY PLAN", "PLACEMENT PLAN", AND "TREATMENT PLAN"; TO AMEND SECTION 63-7-650, RELATING TO REQUIREMENTS BEFORE PLACING A CHILD

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WITH A RELATIVE OR OTHER PERSON WHEN THE CHILD IS TAKEN INTO EMERGENCY PROTECTIVE CUSTODY, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-7-690, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE OR OTHER PERSON INSTEAD OF TAKING THE CHILD INTO DSS CUSTODY, SO AS TO MAKE CONFORMING CHANGES.

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

H. 3701 -- Reps. Putnam, Whipper, Brown, Knight, Henegan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-735 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO INFORM A RELATIVE WITH WHOM A CHILD MAY BE PLACED OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING LICENSED AS A FOSTER PARENT, AND TO REQUIRE THE COURT TO MAKE CERTAIN FINDINGS BEFORE SIGNING AN ORDER APPROVING PLACEMENT OF A CHILD WITH A RELATIVE WHO IS NOT A LICENSED FOSTER PARENT; TO AMEND SECTION 63-7-650, RELATING IN PART TO THE DEPARTMENT MAKING AN INTERIM PLACEMENT OF A CHILD WITH A RELATIVE INSTEAD OF TAKING CUSTODY OF A CHILD, SO AS TO REQUIRE THE DEPARTMENT TO EXPLAIN TO THE RELATIVE ABOUT THE OPPORTUNITY TO BECOME LICENSED AS A KINSHIP FOSTER PARENT IF THE CHILD IS UNABLE TO RETURN HOME; TO AMEND SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER PROGRAM, SO AS TO ALLOW THE DEPARTMENT TO WAIVE CERTAIN NONSAFETY LICENSURE REQUIREMENTS WHEN LICENSING A RELATIVE AS A FOSTER PARENT AND TO INDICATE THE PREFERENCE FOR PLACING A CHILD WITH A RELATIVE; TO AMEND SECTION 63-7-2330, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE AS PART OF A REMOVAL ACTION, SO AS TO REQUIRE THE DEPARTMENT TO INFORM THE RELATIVE OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING SO LICENSED; TO AMEND SECTION 63-7-2350, AS AMENDED, RELATING TO RESTRICTIONS ON FOSTER CARE PLACEMENTS, SO AS TO CLARIFY THE

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PROCESS THE DEPARTMENT MUST FOLLOW TO DETERMINE WHETHER A PERSON HAS COMMITTED A CRIME THAT MAKES THE PERSON INELIGIBLE TO BE A FOSTER PARENT; AND TO AMEND SECTION 43-1-210, AS AMENDED, RELATING TO DEPARTMENT REPORTING REQUIREMENTS, SO AS TO REQUIRE REPORTING OF KINSHIP CARE DATA.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the committee amendment.

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

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

S. 337 -- Senators Davis, Grooms, Reese and Shealy: A BILL TO AMEND SECTION 34-26-410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS OF CREDIT UNIONS, SO AS TO PROVIDE THAT A CREDIT UNION MAY PROVIDE CERTAIN SERVICES TO CERTAIN NONMEMBERS; TO AMEND SECTION 34-26-500, AS AMENDED, RELATING TO MEMBERSHIP IN A CREDIT UNION, SO AS TO PROVIDE THE PROCEDURE TO ADMIT NEW COMMUNITY GROUPS TO A CREDIT UNION; TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO REQUIRE THE BOARD TO MEET AT LEAST ONCE DURING TEN DIFFERENT MONTHS OF EACH YEAR AND TO ALLOW A DIRECTOR TO PARTICIPATE REMOTELY IN CERTAIN MEETINGS; AND TO AMEND SECTION 34-26-1020, RELATING TO PERMISSIBLE INVESTMENTS OF CREDIT UNION FUNDS, SO AS TO ALLOW FOR AN INVESTMENT IN CERTAIN CHARITABLE DONATION ACCOUNTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (337R001.KMM.R001.KMM.337), which was adopted:

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

/ SECTION 1. Section 34-26-410 of the 1976 Code is amended by adding an appropriately numbered item to read:

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“() sell, to persons in the field of membership, negotiable checks, including traveler’s checks, money orders, and other similar money transfer instruments, including international and domestic electronic fund transfers and remittance transfers and cash checks and money orders for persons in the field of membership for a fee.”

SECTION 2. Section 34-26-500 of the 1976 Code is amended to read:

“Section 34-26-500. (1) The membership of a credit union may consist of groups having different common bonds, having been duly admitted as members, having paid any required one-time or periodic membership fee, or both, having subscribed to one or more shares, and having complied with such other requirements as the articles of incorporation and bylaws specify.

(2) Credit union membership may also consist of groups having different common bonds of occupation, ~~or~~ association, community, or persons employed within a defined business district, building, industrial park or shopping center, and members of the family of such persons who are related by either blood or marriage.

(3) A credit union may add additional occupation and association groups not to exceed two hundred fifty potential members to its field of membership, as necessary, provided the groups reasonably are served by one of the credit union’s service facilities, and the group has provided a written request for service to the credit union. However, the Board of Financial Institutions may revoke the power of a credit union to add groups provided by this section upon a finding that permitting additions pursuant to the provisions of this section are not in the best interest of the credit union. The adding of these groups must be consistent with the following:

(a) In order to add additional groups, a credit union first shall obtain a letter on the group’s letterhead, if possible, signed by an official representative identified by title, requesting credit union service. The groups shall indicate the number of potential members seeking service. This document must be maintained by the credit union permanently with its bylaws.

(b) A credit union adding groups shall maintain a log of these groups. The log must include the following: the date the group obtained service, the name and location of the group, the number of potential members added, the number of miles to the nearest main or branch office, and the date of the approval of the group by the board of directors.

(c) Upon complying with the above procedures, board approval is not necessary to add groups with no more than two hundred fifty

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potential members to a credit union's field of membership. Approval of the Board of Financial Institutions must be obtained before the addition of groups in excess of two hundred fifty.

(4)(a) For the purposes of this subsection:

(i) 'Well-defined' means that the area has specific geographic boundaries.

(ii) 'Geographic boundaries' may include a municipality, city, county, or clearly identifiable neighborhood.

(b) State chartered credit unions may apply to the board to serve community groups. A community group shall consist of persons who live in, attend school in, or work in a community and have common interests or interact. The area to be served must be a well-defined neighborhood, business district, community, or rural district where the credit union maintains a service facility, has a membership presence, and has the ability to serve those who qualify for and request credit union service. More than one credit union may share the same community. The credit union requesting to serve a community must provide to the board:

(i) documentation describing how the area meets standards for community interaction or common interests and clearly defining the geographic boundaries of the proposed service area;

(ii) documentation establishing the area as a well-defined local neighborhood, community, rural district, or business district; and

(iii) current financial statements and a plan showing how the credit union intends to market its products and services to the entire community, and the credit union must have been determined by recent examinations to have a strong financial position.

(c) Upon compliance with the above procedures, approval of the Board of Financial Institutions must be obtained in order to add a community group to a credit union's field of membership.

(5)(a) For the purposes of this subsection:

(i) 'Underserved community' means a local community, neighborhood, or rural district that is an investment area.

(ii) 'Investment area' means an area:

(A) encompassed or located in an Empowerment Zone or Enterprise Community designated under section 1391 of the Internal Revenue Code of 1996 (26 U.S.C. 1391);

(B) where the percentage of the population living in poverty is at least twenty percent;

(C) in a metropolitan area where the median family income is at or below eighty percent of the metropolitan area median family

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income or the national metropolitan area median family income, whichever is greater;

(D) outside of a metropolitan area where the median family income is at or below eighty percent of the statewide non-metropolitan area median family income or the national non-metropolitan area median family income, whichever is greater;

(E) where the unemployment rate is at least one and a half times the national average;

(F) where the percentage of occupied distressed housing, as indicated by lack of complete plumbing and occupancy of more than one person per room, is at least twenty percent; or

(G) located outside of a metropolitan area with a county population loss between 1980 and 1990 and subsequent ten year intervals of at least ten percent.

(b) State chartered credit unions may apply to include underserved communities in their field of membership. More than one credit union may serve the same underserved community. A credit union requesting to serve an underserved community must provide to the board:

(i) documentation establishing that the community meets the definition of an investment area; and

(ii) current financial statements and a business plan showing how the credit union intends to serve the community. The business plan must identify the credit and depository needs of the community and detail how the credit union plans to serve those needs. The credit union must have been determined by recent examinations to have a strong financial position.

(c) Upon compliance with the above procedures, approval of the Board of Financial Institutions must be obtained in order to add a community group to a credit union's field of membership."

SECTION 3. Section 34-26-640 of the 1976 Code is amended to read:

"Section 34-26-640. (A) The board of directors shall meet at least monthly and at other times as is necessary.

(B) Unless the bylaws provide otherwise, one regular meeting each calendar year must be conducted in person. If a quorum is present in person for the annual in person meeting, then the remaining board members may participate using audio or video teleconference methods. The other regular meetings may be conducted using audio or video teleconference methods."

SECTION 4. Section 34-26-1020 of the 1976 Code is amended to read:

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“Section 34-26-1020. Funds not used in loans to members may be invested:

- (1) in any investment which is legal for state-chartered banks;
- (2) in deposits, obligations, or other accounts of financial institutions organized under state or federal law;
- (3) in loans to or in shares or deposits of other credit unions or corporate credit unions;
- (4) in deposits, in loans to, or shares of any Federal Reserve Bank, U.S. Central Credit Union, or of any central liquidity facility established under state or federal law;
- (5) in shares, stocks, deposits in, loans to, or other obligations of any credit union service organization, or association exclusively providing services associated with the credit union or engaging in activities incidental to the operations of a credit union. ~~Such investments~~ Investments in the aggregate may not exceed fifteen percent of the credit union’s reserves and undivided profits;
- (6) in participation loans with other credit unions; ~~and~~
- (7) in fixed assets, ~~not to exceed sixty percent of the credit union’s reserves and undivided profits, unless with the prior written approval of the Board of Financial Institutions; and~~
- (8) in charitable donation accounts if those accounts meet the requirements of 12 C.F.R. 721.3. A credit union shall notify the commissioner before it establishes a charitable donation account.”

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

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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

AMENDMENT PROPOSED, CARRIED OVER

H. 3055 -- Reps. Robinson-Simpson, Clyburn, Gilliard, Mack, King and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “STOP THE SCHOOL HOUSE TO JAIL HOUSE PIPELINE ACT” BY CREATING THE RESTORATIVE JUSTICE STUDY COMMITTEE TO REVIEW THE JUVENILE JUSTICE LAWS OF THE STATE AND MAKE RECOMMENDATIONS CONCERNING PROPOSED CHANGES TO

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FACILITATE AND ENCOURAGE DIVERSION OF JUVENILES FROM THE JUVENILE JUSTICE SYSTEM TO RESTORATIVE JUSTICE PRACTICES FOR SPECIFIC PURPOSES AND IN CERTAIN CIRCUMSTANCES, TO PROVIDE THE STUDY COMMITTEE SHALL MAKE RECOMMENDATIONS CONCERNING A RELATED PILOT PROGRAM, TO PROVIDE SPECIFIC REQUIREMENTS FOR THE PILOT PROGRAM, AND TO DEFINE A NECESSARY TERM; BY ADDING SECTION 59-63-212 SO AS TO PROVIDE THAT SCHOOL DISTRICTS SHALL ADOPT ZERO-TOLERANCE POLICIES THAT NOT BE RIGOROUSLY APPLIED TO PETTY ACTS OF MISCONDUCT AND MISDEMEANORS, MUST APPLY EQUALLY TO ALL STUDENTS REGARDLESS OF THEIR ECONOMIC STATUS, RACE, OR DISABILITY, AND THAT ARE INTENDED TO PROMOTE SAFE AND SUPPORTIVE LEARNING ENVIRONMENTS IN SCHOOLS, PROTECT STUDENTS AND STAFF FROM CONDUCT THAT POSES A SERIOUS THREAT TO SCHOOL SAFETY, ENCOURAGES SCHOOLS TO USE ALTERNATIVES TO EXPULSION OR REFERRAL, AMONG OTHER THINGS; BY ADDING SECTION 23-23-117 SO AS TO PROVIDE THAT THE CRIMINAL JUSTICE ACADEMY SHALL DEVELOP AND IMPLEMENT A CULTURAL COMPETENCY MODEL TRAINING PROGRAM CURRICULUM FOR SCHOOL RESOURCE OFFICERS, TO PROVIDE CONTENT REQUIREMENTS FOR THE CURRICULUM, AND TO REQUIRE SCHOOL RESOURCE OFFICERS TO COMPLETE TRAINING BASED ON THE CURRICULUM; AND TO REPEAL SECTIONS 59-63-235 AND 59-63-240 BOTH RELATING TO STUDENT EXPULSIONS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (WAB\3055C001.DKA.WAB18):

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

/ Whereas, the South Carolina General Assembly finds that factors which contribute substantially to juvenile delinquency may be mitigated with restorative practices; and

Whereas, the South Carolina General Assembly finds that restorative practices should encompass all fields where justice is practiced to include juvenile justice, schools, families, victims organizations, and workplaces; and

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Whereas, the South Carolina General Assembly finds that a safe and well-educated population is fundamental to the stability and growth of our State and nation; and

Whereas, the South Carolina General Assembly finds that in our efforts to provide a safe and secure learning environment for all, we must be wary of creating unintended consequences that have a counterproductive impact on some students who need help the most; Now, therefore, /

Amend further by striking all after the enacting words and inserting:

/ SECTION 1. This act may be cited as the “Restorative Juvenile Practices and Approaches Act”.

SECTION 2. There is created the “Juvenile Restorative Practices Study Committee” to review the juvenile justice laws of the State and determine the need to reform juvenile justice policies, practices, and programs in the State of South Carolina to improve outcomes for children who are at risk of entering, or who have entered, the juvenile justice system.

SECTION 3. (A) The study committee shall review relevant statutes and regulations, as well as policies, practices, and programs of schools, the Department of Juvenile Justice, the Department of Social Services, the Department of Mental Health, law enforcement, the courts, and any other public institutions or private organizations the study committee determines appropriate. The study committee shall take into consideration relevant data and statistics as part of the review process including, but not limited to:

(1) the range and frequency of disciplinary measures used by schools, law enforcement, and the courts;

(2) any correlation between student demographics, including gender, race, and age, with disciplinary measures used and the range and frequency of misconduct resulting in the use of discipline whether by a school, law enforcement, or the courts;

(3) the prevalence of a history of child abuse or neglect, and of mental health evaluations, diagnoses, or treatment for children who are at risk of entering, or who have entered, the juvenile justice system; and

(4) the range of services provided to children who are at risk of entering, or who have entered, the juvenile justice system by schools, the Department of Juvenile Justice, the Department of Social Services, the Department of Mental Health, law enforcement, the courts, and community organizations.

(B) The study committee shall make recommendations to the General Assembly concerning proposed changes to facilitate and encourage

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diversion of juveniles from the juvenile justice system to restorative approaches to include modification, expansion, or termination of existing programs and methods.

(C) The study committee must be composed of eleven appointed as follows:

- (1) one member appointed by the Executive Director of the South Carolina Commission of Indigent Defense;
- (2) one member appointed by the Executive Director of the South Carolina Commission on Prosecution Coordination;
- (3) one member appointed by the South Carolina Training Council;
- (4) two members appointed by the Director of the Department of Juvenile Justice, one of whom must be currently employed in a Department of Juvenile Justice County office;
- (5) two sitting Family Court Judges appointed by the Chief Justice of South Carolina;
- (6) one member appointed by the Director of Mental Health;
- (7) one member appointed by the Superintendent of Education;
- (8) one member representing the interests of Crime Victims appointed by the Governor; and
- (9) one ex-officio member from the General Assembly appointed by the Governor to serve as chairman of the study committee.

(D) Vacancies in the membership of the study committee must be filled for the remainder of the unexpired term in the manner of original appointment. Commission members may not be compensated for their service and may not receive mileage, per diem, or subsistence as otherwise provided by law for members of state boards, committees, and commissions.

(E) The Chairman of the Senate Judiciary Committee and the Chairman of the House Judiciary Committee shall provide appropriate staffing for the study committee.

(F) The study committee shall make a report of its recommendations to the General Assembly before September 1, 2019, at which time the study committee must be dissolved and only may be renewed by permanent statutory and a codified provision.

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph,

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sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect upon approval of the Governor. /

Amend the title to read:

/ TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “RESTORATIVE JUVENILE PRACTICES AND APPROACHES ACT” BY CREATING THE “JUVENILE RESTORATIVE PRACTICES STUDY COMMITTEE” TO REVIEW JUVENILE JUSTICES LAWS AND MAKE RECOMMENDATIONS CONCERNING RELATED REFORMS; AND TO PROVIDE FOR THE COMPOSITION, DUTIES, STAFFING, AND DISSOLUTION OF THE COMMITTEE. /

Renumber sections to conform.

Senator HEMBREE explained the amendment.

Senator MALLOY spoke on the Bill.

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

AMENDED, CARRIED OVER

H. 4654 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-43-100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSING REQUIREMENTS FOR INDIVIDUAL AND AGENCY INSURANCE PRODUCERS, SO AS TO REQUIRE AN APPLICANT TO PROVIDE A COMPLETE SET OF FINGERPRINTS WITH THE APPLICATION, TO PROVIDE THAT FAILURE TO PROVIDE A COMPLETE SET OF FINGERPRINTS CONSTITUTES GROUNDS FOR DENIAL OF AN APPLICATION, AND TO PROVIDE EXCEPTIONS TO THE FINGERPRINTING REQUIREMENT UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (4654BH1), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 34-37 and inserting the following:

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/ (2) is a person of good moral character and has not been convicted of a felony or any act or a crime involving moral turpitude within the last ten years that is a ground for denial, suspension, or revocation as provided for in Section 38-43-130 or been convicted of a misdemeanor involving dishonesty, breach of trust or other financial or insurance-related crime within five years; /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

CARRIED OVER

H. 3442 -- Reps. Delleney, Felder, Pope, Martin, Norrell, B. Newton, Simrill, Norman, Thayer, Putnam, Clary, Hamilton, Yow, W. Newton, Kirby, Erickson, Knight, Hixon, Elliott, Henderson, Bedingfield, V.S. Moss, Wheeler, Ballentine, King, Henegan and West: A BILL TO AMEND SECTION 63-9-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDIVIDUALS WHO MAY ADOPT A CHILD, SO AS TO ADD CIRCUMSTANCES UNDER WHICH A NONRESIDENT MAY ADOPT AND TO PROVIDE FOR THE RIGHT TO FILE A PETITION FOR ADOPTION; AND TO AMEND SECTION 63-9-750, RELATING TO ADOPTION HEARINGS, SO AS TO MAKE TECHNICAL CORRECTIONS.

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

S. 1060 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO PROGRAM FOR ASSISTING, DEVELOPING, AND EVALUATING PRINCIPAL PERFORMANCE (PADEPP), DESIGNATED AS REGULATION DOCUMENT NUMBER 4754, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE explained the Resolution.

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

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S. 1061 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4788, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE explained the Resolution.

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

S. 1062 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO APPLICATION FOR TEACHING CREDENTIAL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4789, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE explained the Resolution.

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

S. 506 -- Senator Shealy: A BILL TO AMEND SECTION 40-43-170(A) OF THE 1976 CODE, RELATING TO A STATE OF EMERGENCY, PREREQUISITES TO EMERGENCY REFILLS, AND THE DISPENSING OF MEDICATIONS BY PHARMACISTS NOT LICENSED IN THIS STATE, TO ALLOW FOR A ONE-TIME, THIRTY-DAY EMERGENCY REFILL DURING A STATE OF EMERGENCY.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

Senator CROMER spoke on the Bill.

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

S. 755 -- Senator Peeler: A BILL TO AMEND SECTION 44-53-362, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTROLLED SUBSTANCE TAKE-BACK EVENTS, SO AS TO REQUIRE SHERIFFS TO MAINTAIN AT LEAST ONE ONSITE DROP-OFF BOX THROUGHOUT THE YEAR THAT IS AVAILABLE TO THE GENERAL PUBLIC FOR THE PURPOSE OF DISPOSING OF CONTROLLED SUBSTANCES.

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The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

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

S. 862 -- Senator Young: A BILL TO AMEND SECTION 35-1-602(d) OF THE 1976 CODE, RELATING TO SECURITIES COMMISSIONERS' INVESTIGATIONS AND SUBPOENAS, TO PROVIDE THAT THIS SECTION DOES NOT PRECLUDE A PERSON FROM APPLYING TO THE RICHLAND COUNTY COURT OF COMMON PLEAS FOR RELIEF.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

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

H. 4655 -- Reps. Sandifer and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA INSURANCE DATA SECURITY ACT" BY ADDING CHAPTER 99 TO TITLE 38 SO AS TO DEFINE NECESSARY TERMS; TO REQUIRE A LICENSEE TO DEVELOP, IMPLEMENT, AND MAINTAIN A COMPREHENSIVE INFORMATION SECURITY PROGRAM BASED ON THE LICENSEE'S RISK ASSESSMENT AND TO ESTABLISH CERTAIN REQUIREMENTS FOR THE SECURITY PROGRAM, TO PROVIDE MINIMUM REQUIREMENTS FOR A LICENSEE'S BOARD OF DIRECTORS, IF APPLICABLE, TO REQUIRE A LICENSEE TO MONITOR THE SECURITY PROGRAM AND MAKE ADJUSTMENTS IF NECESSARY, TO PROVIDE THAT THE LICENSEE MUST ESTABLISH AN INCIDENT RESPONSE PLAN AND TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INCIDENT RESPONSE PLAN, TO REQUIRE A LICENSEE TO SUBMIT A STATEMENT TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE ANNUALLY; TO ESTABLISH CERTAIN REQUIREMENTS FOR A LICENSEE IN THE EVENT OF A CYBERSECURITY EVENT; TO REQUIRE A LICENSEE TO NOTIFY THE DIRECTOR OF CERTAIN INFORMATION IN THE EVENT OF A CYBERSECURITY EVENT; TO GRANT THE DIRECTOR THE POWER AND AUTHORITY TO EXAMINE AND

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INVESTIGATE A LICENSEE; TO PROVIDE THAT DOCUMENTS, MATERIALS, OR OTHER INFORMATION IN THE CONTROL OR POSSESSION OF THE DEPARTMENT MUST BE TREATED AS CONFIDENTIAL AND TO AUTHORIZE THE DIRECTOR TO SHARE OR RECEIVE CONFIDENTIAL DOCUMENTS UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER; TO PROVIDE PENALTIES FOR VIOLATIONS; AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

Senator BENNETT explained the Bill.

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

H. 3699 -- Reps. Putnam, Whipper, Brown, Knight, Henegan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 63-7-765, 63-7-770, AND 63-9-80 SO AS TO ALLOW FOR THE DISCLOSURE OF PERSONAL HEALTH INFORMATION ABOUT A CHILD TO CERTAIN CAREGIVERS AS PART OF CHILD PROTECTION OR ADOPTION PROCEEDINGS; TO AMEND SECTION 63-7-390, RELATING TO MANDATED REPORTER IMMUNITY FROM LIABILITY, SO AS TO ADD IMMUNITY PROTECTIONS; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE OR NEGLECT RECORDS, SO AS TO AUTHORIZE THE DEPARTMENT OF SOCIAL SERVICES TO RELEASE RECORDS CONTAINING PERSONAL HEALTH INFORMATION ABOUT THE CHILD TO CERTAIN CAREGIVERS; AND TO AMEND SECTION 63-7-2370, RELATING TO THE DISCLOSURE OF CERTAIN INFORMATION ABOUT A FOSTER CHILD TO A FOSTER PARENT AT THE TIME OF PLACEMENT, SO AS TO MAKE CONFORMING CHANGES.

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

OBJECTION

S. 785 -- Senator Cromer: A BILL TO AMEND SECTION 37-6-502, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION ON CONSUMER AFFAIRS, SO AS TO REVISE THE MEMBERSHIP OF THE COMMISSION.

Senator MALLOY objected to consideration of the Bill.

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H. 4656 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-9-200, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REINSURANCE CREDITS, SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ADOPT ADDITIONAL REQUIREMENTS FOR REINSURANCE CREDITS, TO REQUIRE A REINSURER TO DEMONSTRATE IT HAS ADEQUATE FINANCIAL CAPACITY TO MEET ITS REINSURANCE OBLIGATIONS TO QUALIFY FOR A CREDIT, TO ALLOW FOR THE REDUCTION OF A TRUSTEED SURPLUS FOR AN ASSUMING INSURER WHO HAS PERMANENTLY DISCONTINUED UNDERWRITING NEW BUSINESS, TO ALLOW FOR CREDIT WHEN REINSURANCE IS CEDED AND ENUMERATE CERTAIN ELIGIBILITY REQUIREMENTS, TO ALLOW FOR AN ASSUMING INSURER WHO IS NOT LICENSED, CERTIFIED, OR ACCREDITED IN THIS STATE TO BECOME ELIGIBLE FOR A CREDIT UNDER CERTAIN CIRCUMSTANCES, TO ALLOW THE DIRECTOR TO SUSPEND OR REVOKE THE ACCREDITATION OR CERTIFICATION, TO REQUIRE AN INSURER TO MANAGE ITS REINSURANCE RECOVERABLES PROPORTIONATE TO ITS BOOK OF BUSINESS, AND TO AUTHORIZE THE DIRECTOR TO ADOPT RULES AND REGULATIONS; AND TO AMEND SECTION 38-9-210, RELATING TO LIABILITY REDUCTIONS FOR REINSURANCE, SO AS TO AUTHORIZE THE DIRECTOR TO ADOPT ADDITIONAL REQUIREMENTS FOR AN ASSET OR REDUCTION FROM LIABILITY FOR REINSURANCE CEDED BY A DOMESTIC INSURER AND TO EXPAND THE ACCEPTABLE FORM OF SECURITY FOR A LIABILITY REDUCTION.

Senator MALLOY objected to consideration of the Bill.

S. 412 -- Senators Campbell, Massey, J. Matthews, Shealy, Gambrell, Nicholson, Williams, Grooms, Allen, Talley, Rice and Turner: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO INCREASE THE TAX CREDIT FOR COMMUNITY DEVELOPMENT CORPORATIONS AND COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FROM THIRTY-THREE PERCENT OF AMOUNTS INVESTED TO ONE-HUNDRED PERCENT OF AMOUNTS INVESTED, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT OF TAX CREDITS AT FIVE MILLION DOLLARS,

[SJ]

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TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER; TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT, TO QUALIFY THE SOUTH CAROLINA ASSOCIATION FOR COMMUNITY ECONOMIC DEVELOPMENT AS A COMMUNITY DEVELOPMENT CORPORATION AND TO QUALIFY THE SOUTH CAROLINA COMMUNITY CAPITAL ALLIANCE AS A COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2027.

Senator RANKIN objected to consideration of the Bill.

ADOPTED

S. 757 -- Senator Peeler: A SENATE RESOLUTION TO REQUEST THE SENATE COMMITTEE ON INTERSTATE COOPERATION TO CONDUCT A STUDY CONCERNING THE FEASIBILITY AND THE ECONOMIC AND OTHER CONSEQUENCES OF THE STATE OF SOUTH CAROLINA EXEMPTING ITSELF FROM THE PROVISIONS OF DAYLIGHT SAVING TIME AS PERMITTED BY FEDERAL LAW.

Senator PEELER explained the Resolution.

The Resolution was adopted.

H. 4468 -- Rep. Jefferson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CAINHOY ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY

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41 TO CAINHOY MIDDLE SCHOOL “SERGEANT EARL SINGLETON MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 3965 -- Reps. Hardee, Johnson, Clemmons, Crawford, Duckworth, Fry, Atkinson, Hayes, Ryhal and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF UNITED STATES HIGHWAY 17 AND THE SOUTH CAROLINA - NORTH CAROLINA STATE LINE, AT THE INTERSECTION OF UNITED STATES HIGHWAY 701 AND THE SOUTH CAROLINA - NORTH CAROLINA STATE LINE, AT THE INTERSECTION OF UNITED STATES HIGHWAY 701 AND THE HORRY-GEORGETOWN COUNTY LINE, ALONG UNITED STATES HIGHWAY 501 IN GALIVANTS FERRY, AT THE INTERSECTION OF UNITED STATES HIGHWAY 378 AND THE HORRY - MARION COUNTY LINE, AND AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 905 AND THE SOUTH CAROLINA - NORTH CAROLINA LINE THAT CONTAIN THE WORDS “HOME OF THE 2016 NATIONAL BASEBALL CHAMPIONS COASTAL CAROLINA UNIVERSITY CHANTICLEERS”.

The Resolution was adopted, ordered returned to the House.

H. 4284 -- Reps. Douglas, Delleney and King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WALNUT STREET IN THE CITY OF CHESTER FROM ITS INTERSECTION WITH SPRING STREET TO ITS INTERSECTION WITH GADSDEN STREET “THE REVEREND JOE H. NEAL WAY” AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 4687 -- Reps. Yow, Henegan and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES TEALS MILL POND AND BEAR CREEK ALONG TEALS MILL ROAD IN CHESTERFIELD COUNTY “TEALS MILL MEMORIAL BRIDGE”

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AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

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

MOTION UNDER RULE 32B WITHDRAWN

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions Rule 32B to call S. 805 from the Contested Calendar.

Objection

Senator MALLOY asked unanimous consent to make a motion to read S. 805 a second time, waive the provisions of Rule 26B in order to allow amendments to be considered on third reading, and then the Senate would stand adjourned.

Senator MASSEY objected.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 805 was read a second time, waiving the provisions of Rule 26B.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the motion under Rule 32B was withdrawn.

READ THE SECOND TIME

S. 805 -- Senators Shealy, Sheheen, Young, McLeod, McElveen, Climer, Jackson, Turner, Davis, Talley, Verdin, Fanning, Nicholson and Gambrell: A BILL TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 22, TO CREATE THE DEPARTMENT OF CHILDREN'S ADVOCACY, TO PROVIDE THAT THE DEPARTMENT SHALL BE HEADED BY THE STATE CHILD ADVOCATE, TO PROVIDE THAT THE DEPARTMENT SHALL BE COMPRISED OF DEPUTY CHILD ADVOCATES, INVESTIGATORS, AND OTHER STAFF TO BE EMPLOYED AS NECESSARY BY THE STATE CHILD ADVOCATE, TO PROVIDE THAT THE STATE CHILD ADVOCATE IS RESPONSIBLE FOR

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ENSURING THAT CHILDREN RECEIVE ADEQUATE PROTECTION AND CARE FROM SERVICES OR PROGRAMS OFFERED BY THE DEPARTMENT OF SOCIAL SERVICES, THE DEPARTMENT OF MENTAL HEALTH, THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DEPARTMENT OF JUVENILE JUSTICE, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, THE JOHN DE LA HOWE SCHOOL, THE WIL LOU GRAY OPPORTUNITY SCHOOL, AND THE SCHOOL FOR THE DEAF AND BLIND, TO PROVIDE THAT RECORDS ACQUIRED BY THE DEPARTMENT ARE CONFIDENTIAL, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT, TO PROVIDE THAT THE STATE CHILD ADVOCATE MAY PERFORM AN INDEPENDENT INVESTIGATION OF A CRITICAL INCIDENT OR REVIEW A COMPLETED CRITICAL INCIDENT INVESTIGATION PERFORMED BY A STATE AGENCY, TO PROVIDE FOR THE PARAMETERS OF AN INVESTIGATION, TO PROVIDE THAT THE DEPARTMENT OF CHILDREN'S ADVOCACY SHALL ESTABLISH A SINGLE, STATEWIDE, TOLL-FREE CHILD ABUSE HOTLINE TO RECEIVE ALL REPORTS OF SUSPECTED CHILD ABUSE OR NEGLECT, AND TO PROVIDE FOR FURTHER PURPOSES AND PUBLICATION OF THE HOTLINE; TO AMEND SECTION 1-3-240(C)(1) OF THE 1976 CODE, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, TO ADD THE STATE CHILD ADVOCATE AS A PERSON APPOINTED THAT MAY BE REMOVED BY THE GOVERNOR FOR MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY; TO AMEND SECTION 63-7-360 OF THE 1976 CODE, RELATING TO MANDATORY REPORTING TO THE CORONER, TO PROVIDE THAT THE MEDICAL EXAMINER OR CORONER SHALL ACCEPT REPORTS FROM PERSONS REQUIRED TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT AND REPORT HIS FINDINGS TO THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTION 63-7-370 OF THE 1976 CODE, RELATING TO DOMESTIC VIOLENCE REPORTING, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER UPON RECEIPT OF A REPORT OF DOMESTIC VIOLENCE SHALL REPORT THE INFORMATION TO THE DEPARTMENT OF SOCIAL SERVICES AND TO THE

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DEPARTMENT OF CHILDREN'S ADVOCACY'S SINGLE, STATEWIDE, TOLL-FREE CHILD ABUSE HOTLINE IF THE PEOPLE INVOLVED IN THE REPORTED DOMESTIC VIOLENCE ARE RESPONSIBLE FOR THE WELFARE OF A CHILD; TO AMEND SECTION 63-11-500(A) AND SECTION 63-11-540 OF THE 1976 CODE, BOTH RELATING TO THE CASS ELIAS MCCARTER GUARDIAN AD LITEM PROGRAM, TO PROVIDE THAT THE PROGRAM MUST BE ADMINISTERED BY THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTION 63-11-700(A) AND SECTION 63-11-730(A) OF THE 1976 CODE, BOTH RELATING TO THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN, TO PROVIDE THAT THE DIVISION FOR REVIEW IS WITHIN THE DEPARTMENT OF CHILDREN'S ADVOCACY OF THE FOSTER CARE OF CHILDREN; TO AMEND SECTIONS 63-11-1310, 63-11-1340, 63-11-1360, AND 63-11-1510 OF THE 1976 CODE, ALL RELATING TO THE CONTINUUM OF CARE FOR EMOTIONALLY DISTURBED CHILDREN, TO PROVIDE THAT THE CONTINUUM OF CARE IS WITHIN THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTION 63-11-1930(A) OF THE 1976 CODE, RELATING TO THE STATE CHILD FATALITY ADVISORY COMMITTEE, TO ADD THE STATE CHILD ADVOCATE AS A COMMITTEE MEMBER; TO AMEND SECTION 59-36-20 OF THE 1976 CODE, RELATING TO THE COMPREHENSIVE SYSTEM OF SPECIAL EDUCATION AND SERVICES, TO DELETE ANY REFERENCE TO THE CHILDREN'S CASE RESOLUTION SYSTEM; TO REPEAL ARTICLE 11, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE CHILDREN'S CASE RESOLUTION SYSTEM; TO DELETE SECTION 1-11-10(A)(8) OF THE 1976 CODE, RELATING TO THE CHILDREN'S CASE RESOLUTION SYSTEM; AND TO DEFINE NECESSARY TERMS.

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

The Bill was read the second time, passed and ordered to a third reading.

MOTION ADOPTED

At 3:07 P.M., on motion of Senator MASSEY, 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.

Senator SETZLER moved to carry over the veto.

Senator MARTIN moved to table the motion to carry over the veto.

Senator MALLOY moved to stand adjourned.

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

Ayes 16; Nays 26

AYES

Allen	Fanning	Hutto
Jackson	Johnson	Kimpson
Malloy	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Reese
Sabb	Scott	Setzler
Williams		

Total--16

NAYS

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Grooms	Hembree	Leatherman
Martin	Massey	Peeler
Rankin	Rice	Senn
Shealy	Talley	Timmons
Verdin	Young	

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Total--26

The Senate refused to stand adjourned.

On motion of Senator MARTIN, with unanimous consent, the motion to table the motion to carry over the veto was withdrawn.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

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

S. 872 -- Senators Timmons and Martin: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

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

Senator MALLOY spoke on the Bill.

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

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Remarks to be Printed

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator MALLOY, when reduced to writing and made available to the Desk, would be printed in the Journal.

Motion Adopted

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

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

David S. Kelley, 1501 North Jones Road, Olanta, SC 29114-9466
VICE James McCutchen

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Quenton M. Wood, 354 Twin Oaks Dr., Spartanburg, SC 29306 *VICE*
James Buckingham Paslay

ADJOURNMENT

At 3:45 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

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WEDNESDAY, MARCH 7, 2018

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