

NO. 41

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

TUESDAY, MARCH 20, 2018

Tuesday, March 20, 2018
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Genesis 2:15

“The Lord God took the man and put him in the garden of Eden to till it and keep it.”

Let us pray. Gracious God, we are so very grateful that You have blessed the Senate members and staff at this State House with an abundance of talent and skills to make and implement important legislation for our State. In the midst of this awesome responsibility, however, it is helpful to pause and reflect on what You, O God have done outside these hallowed halls. Like Adam and Eve, You have surrounded us with a veritable Garden of Eden. People travel to far off lands to enjoy the majesty and beauty of what we have every day right here in South Carolina. As Your people, may we neither neglect nor forget to say a prayer of thanksgiving to You for the natural beauty that surrounds us from our spectacular coast to our majestic mountains! We are so very thankful for the spiritual renewal that Your wonders of nature provide for us. May our faith in You be strengthened through these gifts so that we might better know Your peace that passes all understanding. We pray this prayer through Your almighty name, Amen.

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

Call of the Senate

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

Alexander	Allen	Bennett
Climer	Cromer	Davis
Goldfinch	Gregory	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	Martin
McElveen	Rankin	Rice

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Scott	Setzler	Shealy
Talley	Timmons	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Recorded Presence

Senator GROOMS recorded his presence subsequent to the Call of the Senate.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4782

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-1-425(C), 59-5-60, 59-18-110, 59-18-310(B), 59-29-10 et seq., 59-33-30, 59-53-1810, 20 U.S.C. 1232(g), and Pub. L. No. 114-95

SUBJECT: Defined Program, Grades 9-12 and Graduation Requirements

Received by Lieutenant Governor January 9, 2018

Referred to Committee on Education

Legislative Review Expiration May 9, 2018

Withdrawn and Resubmitted March 15, 2018

Doctor of the Day

Senator TURNER introduced Dr. C. Wendell James of Greenville, S.C., Doctor of the Day.

Leave of Absence

At 2:40 P.M., Senator NICHOLSON requested a leave of absence for Senator GAMBRELL for the week.

Leave of Absence

At 4:02 P.M., Senator GROOMS requested a leave of absence for Wednesday, March 21 from 12:00 P.M. until 2:00 P.M.

Expression of Personal Interest

Senator PEELER rose for an Expression of Personal Interest.

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ACTING PRESIDENT PRESIDES

Senator HUTTO assumed the Chair.

CO-SPONSORS ADDED

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

- S. 431 Sen. Climer
- S. 890 Sen. Young
- S. 1041 Sens. Campsen and Young

RECALLED

H. 3789 -- Reps. Govan, Yow, Henegan, J.E. Smith, Thigpen, Hart, Clemmons, Whipper and Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM EXPUNGEMENT ACT"; BY ADDING ARTICLE 10 TO CHAPTER 22, TITLE 17 SO AS TO PROVIDE THAT PERSONS ELIGIBLE FOR EXPUNGEMENT OF A CRIMINAL RECORD PURSUANT TO SECTION 17-22-910 WHO SUCCESSFULLY GRADUATE AND COMPLETE THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM ADMINISTERED BY THE SOUTH CAROLINA ARMY NATIONAL GUARD MAY APPLY TO HAVE THEIR RECORD EXPUNGED UPON SUCCESSFUL GRADUATION AND COMPLETION OF THE PROGRAMS UNDER CERTAIN DELINEATED CIRCUMSTANCES; AND TO AMEND SECTION 17-22-940, AS AMENDED, RELATING TO THE EXPUNGEMENT PROCESS, SO AS TO INCLUDE A REFERENCE TO THE DIRECTOR OF THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY ATTESTING TO THE ELIGIBILITY OF THE CHARGE FOR EXPUNGEMENT ON AN EXPUNGEMENT APPLICATION.

Senator SCOTT asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4870 -- Reps. B. Newton, Norrell, Yow and Lucas: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF

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VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO ADD ONE PRECINCT, AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4981 -- Reps. Simrill, Felder and Bryant: A BILL TO AMEND SECTION 7-7-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO ADD ONE PRECINCT, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT OUTDATED REFERENCES TO THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1129 -- Senator Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 148 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "AIR MEDAL" SPECIAL LICENSE PLATES.

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

S. 1130 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR APOSTOLIC CHRISTIAN HARVESTCALL FOR ITS IMPRESSIVE MINISTRY IN SOUTH

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CAROLINA AND TO EXTEND THE ORGANIZATION BEST WISHES FOR GOD'S RICHEST BLESSINGS AS ITS FINE STAFF AND VOLUNTEERS CONTINUE TO SERVE THE LORD.

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The Senate Resolution was adopted.

S. 1131 -- Senators Scott and Fanning: A JOINT RESOLUTION TO PROVIDE THE EARNINGS LIMITATION OF TEN THOUSAND DOLLARS FOR RETIRED MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM AND ANY OTHER SYSTEM DOES NOT APPLY TO CERTAIN MEMBERS WHO WERE PARTICIPANTS OF THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM AS OF OCTOBER 31, 2017, AND TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION REMAIN IN EFFECT UNTIL JUNE 30, 2023.

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

S. 1132 -- Senator J. Matthews: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF JOHN WESLEY SCOTT OF BOWMAN AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1133 -- Senators Talley, Corbin, Martin, Peeler and Reese: A SENATE RESOLUTION TO CONGRATULATE THE JOHN F. GREEN SPARTANBURG SCIENCE CENTER UPON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND TO RECOGNIZE THE CENTER FOR ITS VALUABLE CONTRIBUTIONS TO THE SPARTANBURG COUNTY COMMUNITY.

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The Senate Resolution was adopted.

H. 4628 -- Reps. Martin, B. Newton, Daning, Lucas, D. C. Moss, Willis, Caskey, Bennett, Arrington, Spires, Young, Bryant, Delleney, Magnuson, Norrell, Pope, Sandifer, Simrill, Davis, Toole, Henderson, Elliott and Duckworth: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-20-210 SO

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AS TO DEFINE NECESSARY TERMS, TO PROHIBIT A TELEMARKETER OR TELEPHONE SOLICITOR FROM MAKING A CONSUMER TELEPHONE CALL WITH A SPOOFED TELEPHONE NUMBER THAT DISPLAYS A SOUTH CAROLINA AREA CODE ON THE RECIPIENT'S CALLER IDENTIFICATION SYSTEM UNLESS THE TELEMARKETER OR TELEPHONE SOLICITOR MAINTAINS A PHYSICAL PRESENCE IN THE STATE, TO PROVIDE REMEDIES FOR VIOLATIONS, AND TO PROVIDE EXCEPTIONS.

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

REPORTS OF STANDING COMMITTEE

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

S. 918 -- Senators Peeler, Malloy and Hembree: A BILL TO AMEND SECTION 44-53-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE "NARCOTICS AND CONTROLLED SUBSTANCES ACT", SO AS TO ADD A DEFINITION FOR "TARGETED CONTROLLED SUBSTANCE"; TO AMEND SECTION 44-53-360, RELATING TO PRESCRIPTIONS, SO AS TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS WHEN PRESCRIBING NARCOTIC DRUGS, WITH EXCEPTIONS, AND TO ESTABLISH CERTAIN PRESCRIBING LIMITATIONS; BY ADDING SECTION 44-53-1655 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROVIDE PRESCRIPTION REPORTS TO PRACTITIONERS AND TO CONDUCT AUDITS OF THE PRESCRIPTION MONITORING PROGRAM, AND SECTION 44-53-1665 SO AS TO ESTABLISH REPORTING REQUIREMENTS OF THE DEPARTMENT; TO AMEND SECTIONS 44-53-1630, AS AMENDED, 44-53-1640, AS AMENDED, 44-53-1645, 44-53-1650, AND 44-53-1680, AS AMENDED, ALL RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD A DEFINITION FOR "TARGETED CONTROLLED SUBSTANCE", TO REQUIRE DISPENSERS TO SUBMIT ADDITIONAL INFORMATION TO THE PROGRAM AND TO REVIEW PROGRAM DATA BEFORE DISPENSING IN CERTAIN CIRCUMSTANCES, TO CHANGE THE REQUIREMENTS FOR PRACTITIONERS TO REVIEW PRESCRIPTION HISTORY BEFORE PRESCRIBING SELECT

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CONTROLLED SUBSTANCES, TO ALLOW PRACTITIONERS TO OBTAIN PRESCRIPTION REPORTS, AND TO MAKE CONFORMING CHANGES, RESPECTIVELY; AND TO AMEND SECTIONS 40-47-965 AND 40-33-34, BOTH AS AMENDED, RELATING TO PRESCRIPTIVE AUTHORITY OF PHYSICIANS ASSISTANTS AND NURSES, RESPECTIVELY, SO AS TO ADDRESS THE AUTHORITY TO PRESCRIBE NARCOTICS TO CERTAIN PATIENTS.

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2017, and to expire December 31, 2021

Public Member:

Neil B. Lipsitz, 2612 Harvey Rd., Beaufort, SC 29902

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2017, and to expire December 31, 2021

4th Congressional District:

Sallie Beth Todd, 6 Sparrow Point Court, Simpsonville, SC 29680-6643 *VICE* Carol Ann Moody

Received as information.

Initial Appointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 1, 2018, and to expire June 1, 2022

Speech-Language Pathologist:

Sarah Davis Emory, 621 Crystal Drive, Spartanburg, SC 29302 *VICE* Tanya T. Pound

Received as information.

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

AMENDMENT PROPOSED, CARRIED OVER

S. 1116 -- Senator Timmons: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE GREENVILLE HEALTH SYSTEM, SO AS TO CHANGE THE NAME TO GREENVILLE HEALTH AUTHORITY, AND TO PROVIDE FOR THE FULFILLMENT OF GREENVILLE HEALTH AUTHORITY'S PURPOSE THROUGH THE OPERATION OF FACILITIES AND DELIVERY OF SERVICES BY AGREEMENT WITH NONPROFIT ENTITIES; AND TO RATIFY THE ACTIONS OF THE GREENVILLE HEALTH SYSTEM IN ENTERING INTO THE AMENDED MASTER AFFILIATION AGREEMENT AND THE LEASE AND CONTRIBUTION AGREEMENT.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (1116R001.SP.SRM):

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

/ SECTION 1. SECTION 4 of Act 432 of 1947, as amended by SECTION 2 of Act 105 of 2013, is repealed.

SECTION 2. Act 432 of 1947, as last amended by Act 105 of 2013, is amended by adding an appropriately numbered new SECTION to read:

“SECTION (). Pursuant to this act, the Greenville Health System Board of Trustees must terminate the Master Affiliation Agreement and Lease between the Greenville Health System and the Upstate Affiliate Organization and unwind contracts entered into with other health systems outside of the Greenville Health System because the Board's actions regarding the Master Affiliation Agreement and Lease were ultra vires. Further, the Board is authorized and empowered to do all things necessary or convenient to facilitate the unrestricted sale of all system assets for a maximum monetary value in a manner set forth under the provisions of this act.”

SECTION 3. Act 432 of 1947, as last amended by Act 105 of 2013, is further amended by adding an appropriately numbered new SECTION to read:

“SECTION (). A. The Greenville County Legislative Delegation shall appoint an interim president to serve as the president of Greenville

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Health System. The interim president is responsible for the continued daily operations of the Greenville Health System. Within thirty days of appointment, the interim president shall work with the Greenville County Legislative Delegation to make recommendations for a five-member Strategic Committee for the purpose of hiring specialized legal counsel and an investment banker or strategic advisory firm to manage the sale of all Greenville Health System assets.

B. In addition to the duties prescribed in subsection A, the interim president shall create a newly formed 501(c)(3) to be called the Greenville Health Foundation, or similar title. The new entity shall be responsible for distributing accrued interest income from monies from the sale of the assets as prescribed by law. One-third of this distribution must be used to assist socioeconomically disadvantaged populations within the community. The new entity shall be comprised of an eleven-member board. Board members must be recommended by the interim president to the Greenville County Legislative Delegation and must be approved by the delegation. All recommendations to the board shall take into account race, gender, expertise, and other qualifications that may be pertinent to service on the board so that members are mindful, to the greatest extent possible, of the needs of all segments of the population of Greenville County. Board members shall serve initial terms as follows: three members shall serve for a term of three years; four members shall serve for a term of four years; and four members shall serve for a term of five years. Thereafter, the board will be appointed by the Greenville County Legislative Delegation, as positions become available, for three-year terms.”

SECTION 4. Act 432 of 1947, as last amended by Act 105 of 2013, is further amended by adding an appropriately numbered new SECTION to read:

“SECTION (). A. Greenville Health System shall engage in a competitive bidding process for the purpose of selling the assets of the system. To facilitate the sale, the interim president shall submit recommendations of individuals with experience in health care administration, law, investment banking, mergers and acquisitions, or other related fields to the Greenville County Legislative Delegation. From these names, the delegation shall form a five-person Strategic Committee to engage specialized legal counsel and an investment banking or strategic advisory firm to assist the committee in developing and executing the bidding and transaction process.

B. The Strategic Committee shall require the investment bank or strategic advisory firm to conduct a thorough review of the financial and

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operating performance of the hospital system and to evaluate markets and growth opportunities available to a buyer. The Strategic Committee shall request that the bank or firm handle the following:

1. develop a preliminary valuation of the system's assets;
2. prepare a confidential information memorandum to provide to all interested parties that sign a non-disclosure agreement;
3. identify and prequalify all parties to be contacted for bidding;
4. develop information required of interested parties, including, but not limited to, the form of consideration, operating history of similar facilities, commitment to maintain services, intent to grow services, and maintenance of charity care policies;
5. review a range of transaction structures;
6. solicit initial bids;
7. prepare a management meeting for interested parties sufficiently satisfying initial bid requirements;
8. organize, supervise, and manage all due diligence between the interested parties and Greenville Health System;
9. negotiate financial and non-financial terms with bidding finalists;
10. advise the Strategic Committee, interim president, and Board of Directors of the merits and risks of the final proposals;
11. work with special counsel to negotiate the letter of intent and definitive agreements with the selected bidder;
12. present information to the Board of Directors regarding the bidding process and negotiations;
13. render a fairness opinion to the Board of Directors;
14. supervise the confirmatory due diligence with the selected bidder;
15. assist in closing the transaction; and
16. provide assistance in any other matters relevant to facilitating the sale of the system's assets.

C. The Greenville County Legislative Delegation shall have final approval of the sale of the system's assets."

SECTION 5. Act 432 of 1947, as last amended by Act 105 of 2013, is further amended by adding an appropriately numbered new SECTION to read:

"SECTION (). All monies collected from the sale of the assets of the Greenville Health System shall be distributed as follows:

A. All bonds, any necessary costs to complete defeasance transactions, revenues, or general obligations shall be paid to satisfy any debt incurred by the Greenville Health System prior to entering into the Master

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Affiliation Agreement and Lease. This amount shall be distributed before the remainder of the funds is disbursed.

B. Up to twenty million dollars may be used to satisfy any unwinding costs associated with contracts entered into with other health systems outside of the Greenville Health System.

C. The remaining proceeds shall be evenly distributed in the following manner:

1. One-fourth of the remaining proceeds shall be given to the State of South Carolina in the following amounts:

i. forty million dollars to purchase school buses as necessary to replace a critically aging fleet;

ii. twenty-five million dollars to Greenville Technical College for the purpose of creating a scholarship to support workforce development;

iii. five million dollars to Greenville Technical College to create a workforce reentry center at the college, with the newly formed entity to offset expungement fees by fifty percent;

iv. ten million dollars to the South Carolina Department of Alcohol and Other Drug Abuse Services for science, technology, engineering, and mathematics-based (STEM) K-12 initiatives in Greenville County;

v. five million to the South Carolina Medical-Legal Partnership in Greenville County; and

vi. all remaining funds allocated in five million dollar increments to Greenville County schools to provide support services to low income students and families and to charter schools in Greenville County in two million dollar increments, until the remaining funds have been expended.

2. One-fourth of the remaining proceeds shall be distributed to the University of South Carolina School of Medicine Greenville to serve as an endowment for the purpose of educating, training, and growing the medical workforce in the Upstate. Five million dollars must be distributed to the Levi S. Kirkland, Sr., M.D. Scholarship Fund for the purpose of providing scholarships to students attending the University of South Carolina School of Medicine Greenville. Twenty-five percent of these proceeds must be distributed to socioeconomically disadvantaged individuals or minorities.

3. One-fourth of the remaining proceeds shall be distributed to the Greenville County Council in the following amounts:

i. Council must use sixty percent of the proceeds to offset residential property taxes for residential homes currently taxed at four percent for a period of five years;

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ii. Council shall distribute fifty million dollars to facilitate affordable housing within the City of Greenville and Greenville County;

iii. Council shall distribute ten million dollars to the Greenville Area Development Corporation for the purpose of developing and supporting minority-owned small businesses in Greenville County;

iv. Council shall distribute ten million dollars for the purpose of developing emerging and existing small businesses engaged in agriculture in Greenville County through low interest loans, grants, and a reduction of taxes and fees;

v. Council shall distribute five million dollars for construction of the Hampton Avenue bridge for vehicular and pedestrian traffic in the City of Greenville if the necessary approval is obtained from the required parties; and

vi. Remaining monies shall be distributed to fund projects around Greenville County to support the health-related needs of all segments of the population considering factors including, but not limited to, race, gender, geographical distribution, socioeconomic status, and disadvantaged communities.

4. One-fourth of the remaining proceeds shall be distributed to the newly formed 501(c)(3) created by the interim president, who is responsible for distributing the accrued interest income from monies from the sale of the assets as prescribed by law, for the purpose of serving the needs of all segments of the population of Greenville County. Of this amount, twenty-five percent must be expended on socioeconomically disadvantaged and minority communities.”

SECTION 6. Upon the effective date of this act, no public monies or assets may be expended or liquidated for the purpose of pursuing legal challenges related to this act within a court of competent jurisdiction.

SECTION 7. The persons holding executive positions within the 501(c)(3) organizations, who unlawfully received governance authority under the Master Affiliation Agreement and Lease, shall vacate all office space controlled by Greenville Health System at the discretion of the newly appointed interim president.

SECTION 8. Any provision in conflict with the provisions of this act is repealed.

SECTION 9. Upon final distribution of the assets after a sale, Act 432 of 1947 and all amendments to the act are repealed, except for all provisions related to the newly formed entity responsible for distributing accrued interest income from monies from the sale of the assets as prescribed by law. The interim president shall become the executive

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director of the entity and serves at the pleasure of the Greenville County Legislative Delegation. /

Re-number sections to conform.

Amend title to conform.

RECESS

At 2:18 P.M., on motion of Senator HUTTO, the Senate recessed from business not to exceed 5 minutes.

At 2:27 P.M., the Senate resumed.

Motion Adopted

On motion of Senator ALLEN, with unanimous consent, and with Senator MARTIN retaining the floor, the Bill was carried over.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator M.B. MATTHEWS rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator MARTIN, with unanimous consent, the remarks of Senators DAVIS and M.B. MATTHEWS, when reduced to writing and made available to the Desk, would be printed in the Journal.

Expression of Personal Interest

Senator PEELER rose for an Expression of Personal Interest.

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

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 345 -- Senators Davis, McElveen, Scott and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-33-55 SO AS TO PROVIDE CERTAIN NURSING PROFESSIONALS MAY PROVIDE NONCONTROLLED PRESCRIPTION DRUGS AT ENTITIES THAT PROVIDE FREE MEDICAL SERVICES FOR INDIGENT PATIENTS; BY ADDING SECTION 40-33-57 SO AS TO PROVIDE CERTAIN NURSING PROFESSIONALS MAY CERTIFY STUDENTS AS UNABLE TO

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ATTEND SCHOOL BUT WHO POTENTIALLY MAY BENEFIT FROM RECEIVING INSTRUCTION AT HOME OR IN A HOSPITAL; BY ADDING SECTION 40-33-59 SO AS TO PROVIDE THAT NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES ORALLY OR IN WRITING MAY REFER A PATIENT TO A PHYSICAL THERAPIST FOR TREATMENT; BY ADDING SECTION 40-33-61 SO AS TO PROVIDE RECIPIENTS AND BENEFICIARIES OF CERTAIN ASSISTANCE AND SERVICES WITHIN THE SCOPE OF PRACTICE OF A NURSE PRACTITIONER OR CERTIFIED NURSE MIDWIFE MAY CHOOSE THE PROVIDERS FROM WHOM THEY RECEIVE SUCH ASSISTANCE AND SERVICES; BY ADDING SECTION 40-33-63 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY PRONOUNCE DEATH AND SIGN DEATH CERTIFICATES; BY ADDING SECTION 40-33-65 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY ORDER HOSPICE AND PALLIATIVE CARE SERVICES FOR PATIENTS; BY ADDING SECTION 40-33-67 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY CERTIFY INDIVIDUALS AS HANDICAPPED FOR PURPOSES OF OBTAINING HANDICAPPED PARKING PLACARDS; AND BY ADDING SECTION 40-47-370 SO AS TO EXEMPT ADVANCED PRACTICE REGISTERED NURSES FROM CERTAIN LICENSURE AND PRACTICE PROVISIONS WHEN EMPLOYED BY THE UNITED STATES GOVERNMENT AND PROVIDING SERVICES UNDER THE DIRECTION AND CONTROL OF THE UNITED STATES GOVERNMENT; TO AMEND SECTION 40-33-20, RELATING TO DEFINITIONS CONCERNING THE NURSE PRACTICE ACT, SO AS TO REVISE AND ADD NECESSARY DEFINITIONS; TO AMEND SECTION 40-33-34, RELATING TO THE PERFORMANCE OF DELEGATED MEDICAL ACTS, QUALIFICATIONS, PROTOCOLS, AND PRESCRIPTIVE AUTHORIZATIONS OF LICENSEES OF THE NURSING BOARD, SO AS TO MAKE VARIOUS REVISIONS; TO AMEND SECTION 40-47-20, RELATING TO DEFINITIONS CONCERNING THE BOARD OF MEDICAL EXAMINERS, SO AS TO REVISE SEVERAL DEFINITIONS AFFECTING THE SCOPE OF PRACTICE OF CERTAIN LICENSEES OF THE NURSING BOARD; AND TO AMEND SECTION 40-47-195, RELATING TO PHYSICIANS SUPERVISING MEDICAL ACTS DELEGATED TO OTHER PROFESSIONALS, SO AS TO ELIMINATE THE

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REQUIREMENT THAT SUPERVISING PHYSICIANS BE RESPONSIBLE FOR ENSURING CERTAIN ACTS DELEGATED TO ADVANCED PRACTICE REGISTERED NURSES ARE PERFORMED TO CERTAIN STANDARDS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (345R003.SP.RWC), which was adopted:

Amend the bill, as and if amended, page 18, by striking line 7 and inserting:

/ written agreement of the physician with whom the nurse practitioner. /

Amend the bill further, as and if amended, page 18, by striking lines 15 through 22 and inserting:

/ (g) must be signed or electronically submitted by the NP, CNM, or CNS with the prescriber's identification number assigned by the board and all prescribing numbers required by law. ~~The Written~~ prescription form forms must include the name, address, and phone number of the NP, CNM, or CNS and physician. Electronic prescription forms must include the name, address, and phone number of the NP, CNM, or CNS and, if possible, the physician through the electronic system. ~~and All~~ prescriptions must comply with the provisions of Section 39-24-40. A prescription must designate a specific number of refills and may not include a nonspecific refill indication; /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the Bill.

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 1; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Goldfinch	Gregory

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

Total--41

NAYS

Massey

Total--1

ABSTAIN

Cromer

Total--1

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

REMOVED FROM CONSENT CALENDAR

S. 172 -- Senators Shealy, Verdin and McLeod: A BILL TO AMEND ARTICLE 11, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES AGAINST THE PERSON, TO PROVIDE THAT STRANGULATION IS THE RESTRICTING OF AIR FLOW OR BLOOD CIRCULATION OF A PERSON BY EXTERNAL PRESSURE TO THE THROAT OR NECK, OR THE BLOCKING OF THE NOSE OR MOUTH OF ANOTHER PERSON; TO PROVIDE THAT A PERSON WHO COMMITS THE OFFENSE OF STRANGULATION IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE IMPRISONED FOR NOT MORE THAN FIVE YEARS; AND TO PROVIDE THAT IT IS AN AFFIRMATIVE DEFENSE IF AN ACT CONSTITUTING

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STRANGULATION WAS THE RESULT OF A LEGITIMATE MEDICAL PROCEDURE.

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

S. 431 -- Senators Senn and Campsen: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A FIREARM ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION OR IN ANY PUBLICLY OWNED BUILDING; TO PROVIDE THAT A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR; TO PROVIDE THAT A PERSON WHO VIOLATES THIS SECTION RESULTING IN PROPERTY DAMAGE IS GUILTY OF A MISDEMEANOR; AND TO PROVIDE THAT A PERSON WHO VIOLATES THIS SECTION BY CAUSING INJURY OR DEATH IS GUILTY OF A FELONY.

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

S. 777 -- Senator Senn: A BILL TO AMEND SECTIONS 61-4-515 AND 61-6-2016 OF THE 1976 CODE, RELATING TO PERMITS TO PURCHASE AND SELL BEER AND WINE FOR ON-PREMISES CONSUMPTION AND A BIENNIAL LICENSE TO PURCHASE ALCOHOLIC LIQUORS BY THE DRINK AT A MOTORSPORTS ENTERTAINMENT COMPLEX, TENNIS SPECIFIC COMPLEX, OR BASEBALL COMPLEX, TO INCLUDE SOCCER COMPLEX AND TO PROVIDE A DEFINITION FOR "SOCCER COMPLEX."

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

S. 833 -- Senator Goldfinch: A BILL TO AMEND SECTION 4-9-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF A COUNTY GOVERNMENT, SO AS

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TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO ADOPT BY ORDINANCE THE REQUIREMENT THAT A RESIDENTIAL OR COMMERCIAL PROPERTY OWNER SHALL KEEP A LOT OR OTHER PROPERTY CLEAN AND FREE OF RUBBISH, TO PROVIDE A PROCEDURE FOR ENFORCEMENT OF THE ORDINANCE, AND TO PROVIDE EXEMPTIONS.

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

S. 1041 -- Senator Davis: A BILL TO AMEND PART 1, CHAPTER 6, TITLE 37 OF THE 1976 CODE, BY ADDING SECTION 37-6-119, TO DEFINE AND PROHIBIT UNFAIR PRACTICES TARGETING VULNERABLE ADULTS BY OBTAINING MONEY, PROPERTY, OR PERSONALLY IDENTIFYING INFORMATION THROUGH DECEPTION, INTIMIDATION, UNDUE INFLUENCE, OR FALSE MISLEADING, OR DECEPTIVE ACTS OR PRACTICES; TO PROVIDE A RIGHT OF ACTION, RECOVERY AMOUNTS, AND PENALTIES; AND TO PROVIDE THAT THE REMEDIAL PROVISIONS OF THIS CHAPTER ARE CUMULATIVE.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

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

**COMMITTEE AMENDMENT ADOPTED
REMOVED FROM CONSENT CALENDAR**

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

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

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (CZ\4727C004.NBD.CZ18), which was adopted:

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

/ SECTION 1. Section 48-59-30(4) of the 1976 Code is amended to read:

“(4) ‘Eligible trust fund recipient’ means:

(a) the following state agencies, which own and manage land for the land’s natural resource, historical, and outdoor recreation values:

(i) South Carolina Department of Natural Resources,

(ii) South Carolina Forestry Commission, and

(iii) South Carolina Department of Parks, Recreation and Tourism.

(b) a municipality of this State and any agency, commission, or instrumentality of such a municipality; ~~or~~

(c) a county of this State and any agency, commission, or instrumentality of such county; or

(d) a not-for-profit charitable corporation or trust authorized to do business in this State whose principal activity is the acquisition and management of interests in land for conservation or historic preservation purposes and which has tax-exempt status as a public charity under the Internal Revenue Code of 1986.”

SECTION 2. Section 48-59-40 of the 1976 Code is amended to read:

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“Section 48-59-40. (A) There is established the South Carolina Conservation Bank. The bank is governed by a fourteen-member board selected as follows:

(1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission, and the Director of the South Carolina Department of Parks, Recreation and Tourism, all of whom shall serve ex officio and without voting privileges;

(2) three members appointed by the Governor from the State at large;

(3) four members appointed by the Speaker of the House of Representatives, one each from the Third, Fourth, and Sixth Congressional Districts and one member from the State at large; and

(4) four members appointed by the President Pro Tempore of the Senate, one each from the First, Second, Fifth, and Seventh Congressional Districts.

(B)(1) In making their respective appointments to the board, the Governor, Speaker of the House of Representatives, and President Pro Tempore of the Senate shall take all reasonable steps to ensure that the members of the board reflect the State’s racial and gender diversity.

(2) Each member of the board must possess experience in the areas of natural resources, land development, forestry, finance, land conservation, real estate, or law.

(C) Terms of board members are for four years and until their successors are appointed and qualify, except that the initial terms of each appointing official’s appointees must be staggered with the initial term noted on the appointment. Regardless of the date of appointment, all terms expire on July first of the applicable year. Vacancies must be filled in the manner of original appointments for the unexpired portion of the term. Members shall serve without compensation, but may receive the mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions. The board shall elect a chairman and other officers as necessary from its membership.

~~(C)~~(D) Board members must recuse themselves from any vote in which they have a conflict of interest including, but not limited to, any vote affecting or providing funding for the acquisition of interests in land:

(1) on land owned or controlled by the board member, the board member’s immediate family, or an entity the board member represents, works for, or in which the member has a voting or ownership interest;

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(2) on land contiguous to land described in item (1) of this subsection; and

(3) by an eligible trust fund recipient that the board member represents, works for, or in which the member has a voting or ownership interest.

The provisions of this subsection are cumulative to and not in lieu of provisions of law or applicable rule relating to the ethics of public officers.

~~(D)~~(E) The board shall meet at least ~~twice annually~~ quarterly in regularly scheduled meetings and in special meetings as the chairman may call. The bank is a public body and its records and meetings are public records and public meetings for purposes of Chapter 4 of Title 30, the Freedom of Information Act. All meetings shall be open to the public and allow for public input.

~~(E)~~(F) Board members shall have no personal liability for any actions or refusals to act in their official capacity as long as such actions or refusals to act do not involve wilful or intentional malfeasance or recklessness.”

SECTION 3. Section 48-59-50 of the 1976 Code is amended to read:
“Section 48-59-50. (A) The bank is established and authorized to:

(1) award grants to eligible trust fund recipients for the purchase of interests in land, so long as the grants advance the purposes of this chapter and meet criteria contained in Section ~~48-59-60~~ 48-59-70;

(2) make loans to eligible trust fund recipients for the purchase of interests in land, at no interest or at an interest rate determined by the board, and under terms determined by the board, so long as the loans advance the purposes of this chapter and meet criteria contained in Section ~~48-59-60~~ 48-59-70;

(3) apply for and receive additional funding for the trust fund from federal, private, and other sources, to be used as provided in this chapter;

(4) receive charitable contributions and donations to the trust fund, to be used as provided in this chapter;

(5) receive contributions to the trust fund in satisfaction of any public or private obligation for environmental mitigation or habitat conservation, whether such obligation arises out of law, equity, contract, regulation, administrative proceeding, or judicial proceeding. Such contributions must be used as provided for in this chapter;

(6) exercise its discretion in determining what portion of trust funds shall be expended, awarded, or loaned in any particular year, and what portion of trust funds shall remain in the trust fund from one fiscal year to the next. Funds within the trust fund shall be invested or deposited

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into interest-bearing instruments or accounts, with the interest accruing and credited to the fund; and

(7) when requested, collaborate and advise on mitigation efforts between state agencies and other parties to help ensure that mitigation efforts are consistent with the purposes set forth in this chapter.

(B) To carry out its functions, the bank shall:

(1) operate a program in order to implement the purposes of this chapter;

(2) develop additional guidelines and prescribe procedures, consistent with the criteria and purposes of this chapter, as necessary to implement this chapter;

(3) submit an annual report to the Governor, Lieutenant Governor, and General Assembly that:

(a) accounts for trust fund receipts and dispersals;

(b) briefly describes applications submitted to the bank, and in greater detail describes grants and loans that were approved or funded during the current year, and the public benefits, including public access, resulting from such grants and loans;

(c) describes recipients of trust fund grants and loans; and

(d) sets forth a list and description of all grants and loans approved, and all acquisitions of land or interests in land obtained with trust funds since the bank's inception. The report shall include a map setting forth the location and size of all such protected lands;

(4) have an annual audit of the Conservation Bank and Conservation Bank Trust Fund conducted by outside independent certified public accountants and submitted to the Governor, Lieutenant Governor, and General Assembly. The accounting of trust fund receipts and expenditures required above shall be part of this annual audit; and

(5) develop conservation criteria to be used, in addition to the criteria set forth in Section 48-59-70(D), that advance and support federal, state, and local conservation goals, plans, objectives, and initiatives. In order to assist in the development of conservation criteria, the bank must coordinate with the appropriate groups to integrate the goals, plans, objectives, and initiatives, as well as land use patterns, into a statewide conservation map. The map must be created by July 1, 2019, and the criteria and map must be reviewed no less than every ten years thereafter. The criteria list and map must be submitted to the General Assembly annually.

(C)(1) To operate the bank and carry out the purposes of this chapter the board shall hire an executive director with the advice and consent of the Senate, and may hire staff, contract for services, and enter into

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cooperative agreements with other state agencies. The executive director must possess experience in the areas of natural resources, land development, forestry, finance, land conservation, real estate, or law. However, the bank may not contract for services that include land management or the enforcement of conservation easements, nor may the bank contract for services with an eligible trust fund recipient or nonprofit organization. Enforcement of conservation easements and management of interest in land acquired with trust funds are the sole responsibility of the owner or eligible trust fund recipient.

(2) A board member or member of the General Assembly or member of his immediate family may not be hired to serve as executive director while the member is serving on the board or in the General Assembly or for a period of one year after the member either:

(a) ceases to be a member of the board or the General Assembly;

or

(b) is not reappointed in accordance with Section 48-59-40 or fails to file for election to the General Assembly in accordance with Section 7-11-15.

Also, a lobbyist or member of his immediate family may not be hired to serve as the executive director for a period of one year after the person ceases to be a lobbyist. For purposes of this paragraph, the definitions provided in Chapter 17, Title 2, apply.

(D) Operating expenses of the bank must be paid out of the trust fund.

(E) The bank may not award a grant or make a loan unless the funds for the grant or loan are in the trust fund at the time of the award. However, the bank may make an award for an extraordinary conservation opportunity in excess of the funds in the trust fund. Such awards must be approved by a two-thirds vote of the board members and go before the Joint Bond Review Committee to review the application for an extraordinary conservation opportunity and make a recommendation for approval or denial before the funds may be used. These awards may cross fiscal years and, in certain situations, may rely on anticipated funds.”

SECTION 4. Section 48-59-70 of the 1976 Code is amended to read:

“Section 48-59-70. (A) An eligible trust fund recipient may apply for a grant or loan from the trust fund to acquire a specific interest in land identified in its application. An application must not be submitted to the board without the written consent of the owner of the interest in land identified in the application and a detailed statement of applicable fees and costs of the acquisition of the interest in the land including, but not limited to, finders fees, real estate commissions, and closing fees.”

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Contiguous landowners and other interested parties may submit in writing to the board their views in support of or in opposition to the application. The board must hold a public hearing on the application at which the eligible trust fund recipient, contiguous landowners, and other interested parties shall be heard. Interested parties include representatives of the municipality, county, and public or private utilities in the area wherein the property is located. The board shall conduct a public hearing on an application before awarding a grant or loan pursuant to the application.

(B) Before applying for trust funds for the purchase of an interest in land, the eligible trust fund recipient receiving the funds must notify the owner of the land that is the subject of the trust fund grant or loan of the following in writing:

(1) that interests in land purchased with trust funds result in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or its assigns; and

(2) that it may be in the landowner's interest to retain independent legal counsel, appraisals, and other professional advice.

The application must contain an affirmation that the notice requirement of this subsection has been met.

(C) Grants and loans from the trust fund must be awarded based upon the conservation criteria contained in subsection (D) and the financial criteria contained in subsection (E). In each application the qualifying entity must provide information regarding how the proposal meets one or more of the following criteria and advances the purposes of the bank.

(D) For purposes of this chapter, conservation criteria include:

(1) the value of the proposal for the conservation of unique or important wildlife habitat;

(2) the value of the proposal for the conservation of any rare or endangered species;

(3) the value of the proposal for the conservation of a relatively undisturbed or outstanding example of an ecosystem indigenous to South Carolina;

(4) the value of the proposal for the conservation of riparian habitats, wetlands, water quality, watersheds of significant ecological value, critical aquifer recharge areas, estuaries, bays, or beaches;

(5) the value of the proposal for the conservation of outstanding geologic features;

(6) the value of the proposal for the conservation of a site of unique historical or archaeological significance;

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(7) the value of the proposal for the conservation of an area of critical, forestlands, farmlands, or wetlands;

(8) the value of the proposal for the conservation of an area of forestlands or farmlands which are located on prime soils, in microclimates or have strategic geographical significances;

(9) the value of the proposal for the conservation of an area for public outdoor recreation, greenways, or parkland;

(10) the value of the proposal for the conservation of a larger area or ecosystem already containing protected lands, or as a connection between natural habitats or open space that are already protected;

(11) the value of the proposal for the amount of land protected;

(12) the value of the proposal for the unique opportunity it presents to accomplish one or more of the criteria contained in this subsection, where the same or a similar opportunity is unlikely to present itself in the future; and

(13) the value of the proposal for access to the public.

(E) For purposes of this chapter, financial criteria include:

(1) the degree to which the proposal presents a unique value opportunity in that it protects land at a reasonable cost;

(2) the degree to which the proposal leverages trust funds by including funding or in-kind assets or services from other governmental sources;

(3) the degree to which the proposal leverages trust funds by including funding or in-kind assets or services from private or nonprofit sources, or charitable donations of land or conservation easements;

(4) the degree to which the proposal leverages trust funds by purchasing conservation easements that preserve land at a cost that is low relative to the fair market value of the fee simple title of the land preserved; and

(5) the degree to which other conservation incentives and means of conservation, such as donated conservation easements or participation in other governmental programs, have been explored, applied for, secured, or exhausted.

(F)(1) The board shall evaluate each proposal according to the conservation criteria listed in subsection (D), the financial criteria listed in subsection (E), and the extent to which the proposal provides public access for hunting, fishing, outdoor recreational activities, and other forms of public access. The board shall award grants or loans on the basis of how well proposals meet these three criteria.

(2) The chairman shall establish a grant review committee to review, comment and make recommendations on proposals received by

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the bank. The chairman shall appoint five members of the board to serve on the committee for a term of no more than one year, and no member may serve consecutive terms.

(G) For each grant or loan application the applicant shall specify:

- (1) the purpose of the application;
- (2) how the application satisfies criteria listed in subsections (D), (E), and (F);
- (3) the uses to which the land will be put;
- (4) the extent to which hunting, fishing, or other forms of outdoor recreation will be conducted upon the land;
- (5) the extent to which farming, forestry, timber management, or wildlife habitat management will be conducted upon the land;
- (6) the party responsible for managing and maintaining the land;
- (7) the parties responsible for enforcing any conservation easements or other restrictions upon the land;
- (8) the extent to which the public is afforded access on the land, including documentation that clearly specifies:

(i) the level of public access on the land;

(ii) limitations on public access to the land and the reason for the limit; and

(iii) the manner in which the public access will be maintained and monitored.

(H) Where an eligible trust fund recipient seeks a trust fund grant or loan to acquire fee simple title to land, it must demonstrate both the expertise and financial resources to manage the land for the purposes set forth in its application. Where an eligible trust fund recipient seeks a trust fund grant or loan to acquire a conservation easement, it must demonstrate both the expertise and financial resources to manage and enforce the restrictions placed upon the land for the purposes set forth in its application. The board shall evaluate each proposal to determine the qualifications of the proposed managing party and to determine whether the proposed management is consistent with the purposes of the bank and the purposes set forth in the application.

(I) An eligible trust fund recipient seeking a grant or loan from the trust fund must:

- (1) demonstrate that it is able to complete the project and acquire the interests in land proposed;
- (2) indicate the total number of acres of land it has preserved in the State; and
- (3) briefly describe the lands it has preserved in the State, including their size, location, and method of preservation. The reporting

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requirement of this subsection need not be complied with for specific preserved lands when in the grant or loan applicant's discretion, or in the discretion of the owners of such preserved lands, the privacy or proprietary interests of the owners of such preserved lands would be violated.

(J) Partnerships, matching contributions, management agreements, management leases, and similar collaborations among state agencies, the federal government, eligible trust fund recipients, and local governments, boards, and commissions may be encouraged to fulfill the requirements of this section and promote the objectives of this chapter.

(K) No matching funds or other contributions are required to receive grants or loans from the trust fund. However, the board shall encourage matching funds and other contributions by weighing the degree to which applications meet the criteria of subsection (E)(2) and (3) when determining which proposals to fund.

~~(L)(1) The board may authorize up to ten percent of the monies credited to the trust fund during the preceding fiscal year to acquire interests in land that solely or primarily meet the criteria of subsection (D)(6) of this section. No other monies in the trust fund may be awarded to applicants for the acquisition of interests in land that meet the criteria of subsection (D)(6) unless the application also satisfies other criteria contained in subsection (D) in a substantial way.~~

~~(2) The board shall authorize at least ten percent of the monies credited to the trust fund during the preceding fiscal year for the acquisition of interests in land that provides public access. To the extent the ten percent authorization required by this item is not met in any particular year, the balance must be carried over and used for acquisition of interests in land that provide public access in ensuing years. The board may not authorize the purchase of a conservation easement for more than one million dollars unless the transaction is reviewed by the Joint Bond Review Committee and the committee provides its recommendation to the board.~~

(M) The board only may authorize grants or loans to purchase interests in lands at or below fair market value. In no cases may funds from the trust fund be used to acquire interests in lands at a price that exceeds the fair market value of the interest being acquired. ~~However, trust funds may be used to acquire interests in land at below fair market value, but only if the owner of the interest consents and in writing to sell at below fair market value.~~ The board must establish reasonable procedures and requirements to document the fair market value of interests in lands and to ensure that the purchase price does not exceed

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the fair market value. The requirements may include the qualifications that appraisers must meet in order to submit appraisals for consideration by the board. The board shall promulgate regulations pursuant to Chapter 23 of Title 1, the Administrative Procedures Act, that provide for the procurement of appraisal services and for the procedure and process in those cases where a discrepancy of ten percent or more arises between the determination of fair market value obtained by the board and that provided by the owner or others interested in the subject land or interest in land. The board must also establish reasonable procedures to ensure the confidentiality of appraisals before the award of a grant or loan, and the subsequent acquisition of interests in lands obtained with such grant or loan.

(N) In awarding a grant or loan from the trust fund the board shall set forth findings that indicate:

(1) how the application satisfies the purposes of this chapter, and the criteria and other considerations set forth in this section;

(2) the purpose of the award and the use to which the land will be put;

(3) the extent to which public access, hunting, fishing, or other forms of outdoor recreation will be conducted upon the land;

(4) the extent to which farming, forestry, timber management, or wildlife habitat management will be conducted upon the land;

(5) the party responsible for managing and maintaining the land;

(6) the party responsible for enforcing any easements or other restrictions upon the land;

(7) the parties designated in items (5) and (6) possess the expertise and financial resources to fulfill their obligations; and

(8) any other findings or information relevant to the award.

(O)(1) Trust funds may not be used to acquire interest in land downzoned within three years of the application unless the interest is sold for the predownzoning value or current value, whichever is greater. However, this requirement is waived if the owner of the downzoned property agrees to accept a lesser amount.

(2) If the owner of an interest in land which is the subject of an application for acquisition with trust funds proves to the satisfaction of the board that intentional and improper acts of planning, zoning, or other regulatory officials resulted in substantial delay or denial of a lawful permit or permission to develop the interest in land and the permit or permission was requested by the owner before the application, then the value of the interest in land is deemed to be its value as if those permits or permissions were granted unless the owner of the interest agrees to a

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lesser value in writing. An owner aggrieved by the decision of the board with respect to this item may appeal to the Administrative Law Court where the matter must be heard as a contested case.

(P) Upon application from the Department of Natural Resources, the board shall award up to three million dollars annually in trust funds to provide the state match for federally funded grant programs in order to leverage funds to meet the conservation criteria set forth in subsection (D)."

SECTION 5. Section 48-59-110 of the 1976 Code is amended to read:

"Section 48-59-110. (A) Trust funds may be used only by eligible trust fund recipients for the acquisition of interests in land, including closing costs. Trust funds may not be used to pay general operating expenses of eligible trust fund recipients, nor may trust funds be used for the management or maintenance of acquired interests in land. Trust funds only may be dispersed at the closing of transactions in which an interest in land is acquired.

(B) The board, in its discretion, may award additional grant funds to the South Carolina Department of Natural Resources, the South Carolina Department of Parks, Recreation and Tourism or the South Carolina Forestry Commission for the acquisition of fee simple title to land to which the public will have full access. The additional funds must be used only for the purpose of improving pedestrian public access. The state agency receiving the funds shall include with its grant application a request for the additional funds and a detailed description of how the additional funds, if awarded, would be used. If additional funds are awarded by the board, the state agency receiving the funds shall submit a report to the board every six months after the award has been made describing in detail how the funds have been used and continue to submit a report until the funds are fully utilized. If the additional funds have not been utilized two years after receipt, the remaining balance must be refunded to the trust fund."

SECTION 6. A. Sections 12-24-95, 12-24-97, 27-8-120, and 48-59-75 of the 1976 Code are repealed.

B. SECTIONS 3, 4, 5, and 7 of Act 200 of 2002 are repealed.

SECTION 7. (A) Effective July 1, 2018, the South Carolina Conservation Bank board must be made up of members elected pursuant to the provisions of Section 48-59-40, as amended by this act. The members serving on the board immediately prior to July 1, 2018, may only serve on the commission until their successor has been appointed or the member is reappointed pursuant to Section 48-59-40, as amended

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by this act. The initial appointments to the board must be staggered so that one of the members appointed by the Governor, the member from the Third Congressional Districts and the member appointed from the State at large appointed by the Speaker of the House of Representatives, and the members from the First and Fifth Congressional Districts appointed by the President Pro Tempore of the Senate must be appointed to an initial term of two years. The Governor must clearly specify which of his appointments are for two-year terms. The remaining initial appointments and all subsequent appointments must be for four-year terms pursuant to Section 48-59-40.

(B) To ensure an efficient transition, upon approval by the Governor, the appointing officials may begin appointing members whose term will take effect on July 1, 2018.

SECTION 8. This act takes effect July 1, 2018. /
Renumber sections to conform.
Amend title to conform.

Senator SETZLER explained the committee amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

READ THE SECOND TIME

S. 541 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO THE CHILD PROTECTION AND PERMANENCY DEFINITIONS TO PROVIDE THAT A CHILD VICTIM OF SEX TRAFFICKING OR SEVERE FORMS OF TRAFFICKING IN PERSONS IS A VICTIM OF CHILD ABUSE OR NEGLECT.

The Senate proceeded to a consideration of the Bill.

Senator SHEALY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

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AYES

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

Total--43

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. 928 -- Senators Scott, Jackson, McLeod, Campbell and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-180 SO AS TO PROVIDE THAT A SPECIAL PURPOSE DISTRICT THAT HAS ACQUIRED A WORK OF ART BY GIFT, BEQUEST, PURCHASE, OR BY OTHER MEANS, MAY TRANSFER OWNERSHIP OF THE OBJECT TO A NONPROFIT CORPORATION ORGANIZED FOR THE PURPOSE OF DISPLAYING WORKS OF ART FOR SUCH CONSIDERATION OR UPON THE TERMS THE GOVERNING BODY OF THE SPECIAL PURPOSE DISTRICT, IN ITS DISCRETION, FINDS TO BE SUFFICIENT AND APPROPRIATE.

The Senate proceeded to a consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (JUD0928.002), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 29 through 35, in Section 6-1-180, as contained in SECTION 1, and inserting therein the following:

/ “Section 6-1-180. Notwithstanding another provision of law, a special purpose district that has acquired a work of art by gift, bequest, purchase, or other means, may transfer ownership of the object:

(1) to a nonprofit corporation organized for the purpose of displaying works of art for the public, and

(2) for such consideration and upon the terms the governing body of the special purpose district, in its discretion, finds to be sufficient and appropriate.” /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

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Total--43

NAYS

Total--0

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

READ THE SECOND TIME

S. 1042 -- Senator Gambrell: A BILL TO AMEND SECTION 38-1-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DEFINE THE TERM "INTERNATIONAL MAJOR MEDICAL INSURANCE" AND TO INCLUDE THIS FORM OF INSURANCE IN THE DEFINITION FOR THE TERM "SURPLUS LINES INSURANCE".

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

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Total--43

NAYS

Total--0

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

READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

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Total--43

NAYS

Total--0

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

READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

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Turner
Young

Verdin

Williams

Total--43

NAYS

Total--0

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

AMENDED, READ THE SECOND TIME

H. 3591 -- Reps. Govan, J.E. Smith, Allison, Erickson, G.R. Smith, Felder, Douglas, Martin, Ridgeway, Robinson-Simpson, Yow, Williams, Wheeler, Loftis, D.C. Moss, Henegan, Ryhal, Jordan, Fry, Ballentine, Henderson, Crawford, S. Rivers, Herbkersman, W. Newton, Anthony, Lowe, Arrington, Thayer, Duckworth, Putnam, Gagnon, White, Simrill, McCoy, Stavrinakis, Elliott, Daning, Crosby, Sottile, Cogswell, Neal, McKnight, Hart, McEachern, West, Bamberg, Anderson, Hayes, Norrell, Cobb-Hunter, Davis, B. Newton, Ott, Hosey, Knight, Jefferson, Brown and Gilliard: A BILL TO AMEND SECTION 59-152-32, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BENCHMARKS AND OBJECTIVES REQUIRED AS PART OF THE FIRST STEPS TO SCHOOL READINESS COMPREHENSIVE LONG-RANGE INITIATIVE, SO AS TO PROVIDE THE BENCHMARKS AND OBJECTIVES MUST BE APPROVED BY THE FIRST STEPS TO SCHOOL READINESS BOARD OF TRUSTEES AND POSTED ON THE INTERNET WEBSITE OF THE STATE OFFICE OF FIRST STEPS TO SCHOOL READINESS; TO AMEND SECTION 59-152-33, RELATING TO THE FIRST STEPS TO SCHOOL READINESS ASSESSMENT, SO AS TO IMPOSE CERTAIN REQUIREMENTS FOR REPORTING AND USE OF THE RESULTS OF THE ASSESSMENT; TO AMEND SECTION 59-152-50, AS AMENDED, RELATING TO MISCELLANEOUS REPORTING REQUIREMENTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 59-152-70, AS AMENDED, RELATING TO FIRST STEP PARTNERSHIP BOARDS, SO AS TO PROVIDE THE STATE OFFICE OF FIRST STEPS TO SCHOOL READINESS ANNUALLY SHALL PUBLISH THE COMPREHENSIVE PLANS OF THESE BOARDS ON THE

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INTERNET WEBSITE OF THE OFFICE, TO LIMIT THE PERIOD OF TIME IN WHICH LOCAL OFFICES MAY INCREASE THEIR ESTABLISHED OVERHEAD COST RATES, AND TO PROVIDE LOCAL PARTNERSHIPS THAT ARE NOT PART OF MULTICOUNTY PARTNERSHIPS AND EXCEED THEIR OVERHEAD COST RATES ARE INELIGIBLE TO RECEIVE STATE FUNDS; TO AMEND SECTION 63-11-1710, RELATING TO THE SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS BOARD OF TRUSTEES, SO AS TO REQUIRE THE BOARD ANNUALLY TO PROVIDE ACCOUNTABILITY REPORTS REQUIRED OF STATE AGENCIES; TO AMEND SECTION 63-11-1720, AS AMENDED, RELATING TO THE STATE OFFICE OF FIRST STEPS STUDY COMMITTEE, SO AS TO DELETE PROVISIONS CONCERNING THE COMMITTEE AND TO PROVIDE FOR LEGISLATIVE REVIEW OF THE STATE OFFICE OF FIRST STEPS TO SCHOOL READINESS IF THE OFFICE IS NOT REVIEWED BY THE HOUSE AND SENATE OVERSIGHT COMMITTEES WITHIN A PROSCRIBED TIME PERIOD; TO AMEND SECTION 63-11-1740, AS AMENDED, RELATING TO THE ADMINISTRATION OF THE STATE OFFICE OF FIRST STEPS TO SCHOOL READINESS, SO AS TO REQUIRE THE BOARD TO SUBMIT JUSTIFICATIONS AND RECOMMENDATIONS REGARDING THE SALARY OF ITS EXECUTIVE DIRECTOR TO THE AGENCY HEAD SALARY COMMISSION; AND TO REPEAL SECTION 63-11-1735 RELATING TO THE BABYNET INTERAGENCY EARLY INTERVENTION SYSTEM.

The Senate proceeded to a consideration of the Bill.

Senators MARTIN and MALLOY proposed the following amendment (3591R002.SP.SRM), which was adopted:

Amend the bill, as and if amended, page 11, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 20B. of Act 287 of 2014 is repealed. Act 99 of 1999, South Carolina First Steps to School Readiness Act, as amended by this act, is reauthorized until June 30, 2025. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

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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 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

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

READ THE SECOND TIME

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

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FINGERPRINTING REQUIREMENT UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

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

READ THE SECOND TIME

S. 190 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 33 SO AS TO ENACT THE "REVISED UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT", TO AMONG OTHER THINGS, DEFINE TERMS, SPECIFY

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APPLICABILITY, SET FORTH POWERS OF UNINCORPORATED NONPROFIT ASSOCIATIONS, TO SPECIFY LIABILITY, AND TO SET FORTH THE PROCESS BY WHICH A LEGAL ACTION AGAINST AN ASSOCIATION IS ADJUDICATED.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

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

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AMENDED, 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 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), which was adopted:

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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

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;

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(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 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.

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(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, 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.

The amendment was adopted.

The question then was second reading of the Bill.

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

CARRIED OVER

S. 854 -- Senators Sheheen, Scott and Nicholson: A BILL TO AMEND SECTIONS 9-1-1540, 9-9-65, AND 9-11-80, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISABILITY RETIREMENT FOR MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM, THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL

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ASSEMBLY, AND THE POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, SO AS TO PROVIDE THAT A MEMBER IS CONSIDERED TO BE IN SERVICE ON THE DATE THE APPLICATION FOR DISABILITY RETIREMENT IS FILED IF THE LAST DAY THE MEMBER WAS EMPLOYED IN THE SYSTEM OCCURRED NOT MORE THAN ONE YEAR BEFORE THE DATE OF FILING.

The Senate proceeded to the consideration of 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 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

[SJ]

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FOR VIOLATIONS; AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

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 TALLEY, the Bill was carried over.

S. 912 -- Senators Jackson, Allen, Reese, Shealy, Talley, Johnson, Campbell, Sabb, Gambrell, Nicholson and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-18-75 SO AS TO PROHIBIT A PRIVATE INVESTIGATION BUSINESS FROM KNOWINGLY REPRESENTING MULTIPLE PARTIES WITH OPPOSING INTERESTS IN CIVIL OR CRIMINAL MATTERS AND TO PROVIDE PENALTIES.

The Senate proceeded to the consideration of the Bill.

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

AMENDED, OBJECTION

H. 3867 -- Reps. Herbkersman, Pitts, Hayes, Anthony, Cobb-Hunter, Whipper and Brown: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO

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EXEMPT ALL PROPERTY DEVOTED TO HOUSING LOW INCOME RESIDENTS IF THE PROPERTY IS OWNED BY AN INSTRUMENTALITY OF A NONPROFIT HOUSING CORPORATION.

The Senate proceeded to a consideration of the Bill.

Senator GREGORY proposed the following amendment (3867R005.SP.CKG), which was withdrawn:

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

/ SECTION 1. Section 12-37-220(B) of the 1976 Code is amended by adding appropriately numbered items at the end to read:

“(53) eighty percent of the fair market value of a distributed energy resource required to be returned, pursuant to Section 12-37-970, or to be appraised and assessed, pursuant to Section 12-4-540;

(a) this exemption applies for property that became operational after property tax year 2017 and only applies for the twenty consecutive property tax years after the distributed energy resource becomes operational. This exemption only applies if the taxpayer elects not to take any additional exemptions as defined in Section 4-12-30. Renewable energy properties that have an executed fee in lieu agreement are not eligible for this exemption;

(b) for purposes of this item, ‘distributed energy resource’ means property that is defined in Section 58-39-120(C). This definition includes, but is not limited to, all equipment required to meet all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities;

(54)(a) effective for property tax years beginning after 2017, a renewable energy resource property having a nameplate capacity of no greater than twenty kilowatts, as measured in alternating current;

(b) for purposes of this item, ‘renewable energy resource’ means property that is defined pursuant to Section 58-40-10(F). This definition includes, but is not limited to, all components that enhance the operational characteristics of the generating equipment, such as an advanced inverter or battery storage device, and all equipment required to meet all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electric Safety Code, the Institute of

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Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authority.”

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

Re-number sections to conform.

Amend title to conform.

Senator GREGORY explained the amendment.

The amendment was withdrawn.

Senator GREGORY proposed the following amendment (3867R006.SP.CKG), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 2 and 3 and inserting:

/ amended by Act 23 of 2015, is further amended by adding appropriately numbered items at the end to read: /

Amend the bill further, as and if amended, page 2, line 12, by inserting:

/ () eighty percent of the fair market value of a distributed energy resource required to be returned, pursuant to Section 12-37-970, or to be appraised and assessed, pursuant to Section 12-4-540;

(a) this exemption applies for property that became operational after property tax year 2017 and only applies for the twenty consecutive property tax years after the distributed energy resource becomes operational. This exemption only applies if the taxpayer elects not to take any additional exemptions as defined in Section 4-12-30. Renewable energy properties that have an executed fee in lieu agreement are not eligible for this exemption;

(b) for purposes of this item, ‘distributed energy resource’ means property that is defined in Section 58-39-120(C). This definition includes, but is not limited to, all equipment required to meet all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities;

() (a) effective for property tax years beginning after 2017, a renewable energy resource property having a nameplate capacity of and

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generating no greater than twenty kilowatts, as measured in alternating current;

(b) for purposes of this item, ‘renewable energy resource’ means property that is defined pursuant to Section 58-40-10(F). This definition includes, but is not limited to, all components that enhance the operational characteristics of the generating equipment, such as an advanced inverter or battery storage device, and equipment required to meet all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electric Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities.” /

Renumber sections to conform.

Amend title to conform.

Senator GREGORY explained the amendment.

The amendment was adopted.

Senator GROOMS proposed the following amendment (3867R009.SP.LKG), which was adopted:

Amend the bill, as and if amended, page 2, by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. This act takes effect upon approval by the Governor and applies to property tax years beginning after 2017. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Senator GROOMS proposed the following amendment (3867R008.SP.LKG), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION _ . Section 12-37-220(A)(3) of the 1976 Code is amended to read:

“(3) all property of all public libraries, churches, including leased church vehicles, parsonages, and burying grounds, but this exemption for real property does not extend beyond the buildings and premises

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actually occupied by the owners of the real property, with the exception of leased church vehicles;” /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Senator ALLEN proposed the following amendment (3867R010.SP.1R018.SP.KBA), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 29 and inserting:

/ income residents. A nonprofit housing corporation or instrumentality must satisfy the /

Amend the bill further, as and if amended, page 1, by striking line 39 and inserting:

/ low or very low income housing. If a partnership, limited liability company, or other corporation is not a partner, member, or shareholder with a nonprofit housing corporation, then this exemption does not apply;” /

Renumber sections to conform.

Amend title to conform.

Senator ALLEN explained the amendment.

The amendment was adopted.

Senator FANNING objected to further consideration of the Bill.

OBJECTION

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

Senator RANKIN objected to the consideration of the Bill.

S. 785 -- Senator Cromer: A BILL TO AMEND SECTION 37-6-502, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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THE COMMISSION ON CONSUMER AFFAIRS, SO AS TO REVISE THE MEMBERSHIP OF THE COMMISSION.

Senator BENNETT objected to the 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, 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 the consideration of the Bill.

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H. 4729 -- Reps. Delleney, Yow, McCravy, Finlay, Spires, Loftis, G.R. Smith, Norrell, Funderburk, Huggins, Magnuson, Hewitt, Cobb-Hunter, Jordan, Clary, Johnson, Bennett, Martin, Bernstein, W. Newton, Fry, G.M. Smith, Caskey, Long, Burns, Chumley, Bannister, Trantham, Bryant, Duckworth, Elliott, Forrest, Hayes, Henderson, Henegan, Herbkersman, Hiott, McCoy, D.C. Moss, Pitts, Pope, Simrill, J.E. Smith, Tallon, Toole, Wheeler, White, Willis and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-6-141 SO AS TO PROHIBIT THE DEPARTMENT OF REVENUE FROM ISSUING MORE THAN THREE RETAIL DEALER LICENSES TO ONE LICENSEE; BY ADDING SECTION 61-6-151 SO AS TO PROHIBIT A LICENSEE FROM HAVING AN INTEREST IN A RETAIL LIQUOR STORE OTHER THAN THE THREE STORES COVERED BY HIS RETAIL DEALER'S LICENSE; AND TO AMEND SECTION 61-6-1636, RELATING TO THE SALE OF ALCOHOLIC LIQUOR BY THE DRINK, SO AS TO ALLOW A LICENSED WHOLESALER TO DELIVER NEW ALCOHOLIC LIQUOR TO A PERSON LICENSED TO SELL ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION UNDER CERTAIN CIRCUMSTANCES.

Senator MALLOY objected to the consideration of the Bill.

ADOPTED

S. 1054 -- Senators Young, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M.B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin and Williams: A SENATE RESOLUTION TO RECOGNIZE MAY 2018 AS "BETTER HEARING AND SPEECH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO BECOME INFORMED ABOUT THIS CRITICAL HEALTH ISSUE.

The Resolution was adopted.

S. 1059 -- Senator Davis: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS

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YOUTH IN GOVERNMENT PROGRAM ON TUESDAY, NOVEMBER 13 AND THURSDAY, NOVEMBER 15 AND FRIDAY, NOVEMBER 16, 2018. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

The Resolution was adopted.

S. 1090 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE THURSDAY, APRIL 19, 2018, AS "UNCLAIMED PROPERTY DAY" IN SOUTH CAROLINA AND TO URGE ALL CITIZENS TO UTILIZE THE OFFICE OF THE STATE TREASURER'S DATABASE TO SEARCH FOR UNCLAIMED PROPERTY FOR THEMSELVES, THEIR FRIENDS AND FAMILY, AND THEIR BUSINESSES.

The Resolution was adopted.

S. 1091 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE THURSDAY, APRIL 26, 2018, AS "FUTURE SCHOLAR 529 DAY" IN SOUTH CAROLINA AND TO ENCOURAGE FAMILIES TO SAVE FOR COLLEGE WITH THE SOUTH CAROLINA FUTURE SCHOLAR 529 COLLEGE SAVINGS PLAN.

The Resolution was adopted.

S. 811 -- Senator Hembree: A CONCURRENT RESOLUTION TO URGE THE FEDERAL GOVERNMENT TO WORK EXPEDITIOUSLY TO REMOVE BARRIERS TO CONDUCTING RESEARCH ON THE USE OF CANNABIS TO TREAT MEDICAL CONDITIONS AND ILLNESSES.

The Resolution was adopted, ordered sent to the House.

S. 1053 -- Senator Shealy: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 15, 2018.

The Resolution was adopted, ordered sent to the House.

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

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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.

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

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

MADE SPECIAL ORDER

H. 4729 -- Reps. Delleney, Yow, McCravy, Finlay, Spires, Loftis, G.R. Smith, Norrell, Funderburk, Huggins, Magnuson, Hewitt, Cobb-Hunter, Jordan, Clary, Johnson, Bennett, Martin, Bernstein,

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W. Newton, Fry, G.M. Smith, Caskey, Long, Burns, Chumley, Bannister, Trantham, Bryant, Duckworth, Elliott, Forrest, Hayes, Henderson, Henegan, Herbkersman, Hiott, McCoy, D.C. Moss, Pitts, Pope, Simrill, J.E. Smith, Tallon, Toole, Wheeler, White, Willis and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-6-141 SO AS TO PROHIBIT THE DEPARTMENT OF REVENUE FROM ISSUING MORE THAN THREE RETAIL DEALER LICENSES TO ONE LICENSEE; BY ADDING SECTION 61-6-151 SO AS TO PROHIBIT A LICENSEE FROM HAVING AN INTEREST IN A RETAIL LIQUOR STORE OTHER THAN THE THREE STORES COVERED BY HIS RETAIL DEALER'S LICENSE; AND TO AMEND SECTION 61-6-1636, RELATING TO THE SALE OF ALCOHOLIC LIQUOR BY THE DRINK, SO AS TO ALLOW A LICENSED WHOLESALER TO DELIVER NEW ALCOHOLIC LIQUOR TO A PERSON LICENSED TO SELL ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION UNDER CERTAIN CIRCUMSTANCES.

Senator MASSEY moved that the Bill be set for Special Order.

Senator RANKIN explained the Bill.

The question then was the motion to make the Bill a Special Order.

The Bill was made a Special Order.

Recorded Vote

Senator PEELER desired to be recorded as voting against the motion to make the Bill a Special Order.

MOTION ADOPTED

At 4:01 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator SHEHEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Gregory Alan “Greg” Cook of Kershaw, S.C. Greg was a graduate of Andrew Jackson High School and earned a Criminal Justice degree from the University of South Carolina. He was a deputy sergeant at arms for the S.C. Senate and worked for C.L. Cromer Construction. Greg was an avid outdoorsman and talented woodworker who enjoyed field trial competitions with his champion retriever. Greg was a devoted son and loving brother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator LEATHERMAN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Wallace Herbert Jordan Sr. of Florence, S.C. Wallace graduated from McClenaghan High School and attended Wofford College. He was a U.S. Army Veteran and spent over 45 years in the automobile industry. Wallace was a member of the VFW, Florence Country Club, Kiwanis Club and was a Shriner. He was a member of Florence Baptist Temple and the Willie Calder Sunday School Class. Wallace was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 4:04 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 12:00 Noon.

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