

NO. 64

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

THURSDAY, APRIL 26, 2018

Thursday, April 26, 2018
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Proverbs 27:19

“Just as water reflects the face, so one human heart reflects another.”

Let us pray. Gracious and loving God, as our Senators attempt to reach across these Chambers to finalize a budget, may they find themselves not in a test of wills but rather in a test of hearts. The solemn duty of both Bodies is to serve the best interests of the people of South Carolina. That is why each person here was elected. As these two Chambers seek to work together for this noble goal, may each and every decision be tempered not by one’s image but by the content of one’s heart. Through the power of Your eternal name, we offer this prayer, 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	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Goldfinch	Grooms	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	<i>Matthews, John</i>
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Shealy
Sheheen	Talley	Timmons
Turner	Young	

A quorum being present, the Senate resumed.

THURSDAY, APRIL 26, 2018

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4811

Agency: Department of Consumer Affairs

Chapter: 28

Statutory Authority: 1976 Code Sections 37-2-410, 37-2-710, 37-3-403, 37-6-104, 37-6-402, 37-6-403, and 37-6-506

SUBJECT: Employee's Revocable Authorization of a Deduction of Earnings

Received by Lieutenant Governor April 26, 2018

Referred to Committee on Banking and Insurance

Doctor of the Day

Senator REESE introduced Dr. Carla Gentry of Spartanburg, S.C., Doctor of the Day.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 722 Sen. Fanning

RECALLED

H. 4989 -- Reps. Willis, G.R. Smith, Hamilton, Pitts and Trantham: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MCCARTER ROAD IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 14 TO ITS INTERSECTION WITH INTERSTATE HIGHWAY 385 "EDWARD CHARLES 'EDDIE' CASE MEMORIAL BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

THURSDAY, APRIL 26, 2018

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1200 -- Senators Young, Setzler, Massey, Hutto, Climer and Shealy: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3785, TO PROVIDE DEFINITIONS, TO PROVIDE LIMITATIONS ON THE AMOUNT AN INDIVIDUAL OR CORPORATION CAN CLAIM AS CREDITS, AND TO PROVIDE FOR THE AWARD OF CERTAIN TAX CREDITS.

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

S. 1201 -- Senator Alexander: A SENATE RESOLUTION TO HONOR WILLIAM F. SCHMIDT III, M.D., PH.D., A DIRECTOR AND FOUNDING MEMBER OF THE SOUTH CAROLINA CHILDREN'S HOSPITAL COLLABORATIVE, UPON THE OCCASION OF HIS RECENT RETIREMENT FROM THE ORGANIZATION, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS A MEDICAL PROFESSIONAL, AND TO WISH HIM HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

H. 5270 -- Reps. Hiott, Clary and Collins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 123 AND CARTEE ROAD IN PICKENS COUNTY THE "CHARLES E. DALTON INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THIS DESIGNATION.

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

REPORTS OF STANDING COMMITTEES

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

THURSDAY, APRIL 26, 2018

H. 3068 -- Reps. J.E. Smith and Clyburn: A BILL TO AMEND CHAPTER 102, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATHLETE AGENTS AND STUDENT ATHLETES, SO AS TO ENACT THE "UNIFORM ATHLETE AGENTS ACT OF 2017", TO ADOPT THE INTERSTATE COMPACT FOR REGISTRATION OF STUDENT ATHLETE AGENTS AND MAKE NECESSARY CONFORMING CHANGES, TO REVISE VARIOUS PROVISIONS IN CONSIDERATION OF THE EXPANDED IMPACT OF SOCIAL MEDIA ON THE SOLICITATION AND RECRUITMENT OF STUDENT ATHLETES BY ATHLETE AGENTS, TO REVISE REQUIREMENTS REGARDING THE ESTABLISHMENT OF RELATIONSHIPS BETWEEN STUDENT ATHLETES AND ATHLETE AGENTS, AND TO REVISE VARIOUS AVAILABLE REMEDIES, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

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

H. 3820 -- Reps. Fry, Bedingfield, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Hamilton, Elliott, Jordan, B. Newton, Martin, Erickson, Lowe, Atwater, Willis, Jefferson, W. Newton, Thigpen, Bennett, Crosby, Long, Putnam, Cogswell, Henderson-Myers and Govan: A BILL TO AMEND SECTION 59-32-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SCHOOL COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO REQUIRE CERTAIN INSTRUCTION IN PRESCRIPTION OPIOID ABUSE PREVENTION IN GRADES NINE THROUGH TWELVE BEGINNING WITH THE 2017-2018 SCHOOL YEAR.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary polled out H. 3896 favorable:

H. 3896 -- Reps. Duckworth, Kirby, Johnson, Hardee, Hosey, Crosby, Arrington, Daning, V.S. Moss, Elliott, Bales, Bannister, Bennett, Dillard, Hamilton, Willis, Murphy, Stavrinakis, McCoy, McGinnis, Hewitt, Jefferson, Williams, McEachern, W. Newton and Clary: 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 TO AUTHORIZE THE

THURSDAY, APRIL 26, 2018

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 AND TO PROVIDE A PROCEDURE FOR ENFORCEMENT OF THE ORDINANCE.

**Poll of the Judiciary Committee
Polled 23; Ayes 17; Nays 5; Not Voting 1**

AYES

Rankin	Hutto	Campsen
Johnson	McElveen	Turner
Young	Sabb	Margie Matthews
Climer	Fanning	Gambrell
Goldfinch	McLeod	Senn
Timmons	Cash	

Total--17

NAYS

Massey	Shealy	Kimpson
Rice	Talley	

Total--5

NOT VOTING

Malloy

Total--1

Ordered for consideration tomorrow.

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

H. 4182 -- Reps. White, Clary and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION ENTERPRISE ACT", BY ADDING CHAPTER 157 TO TITLE 59 SO AS TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN ENTERPRISE DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF THE INSTITUTION MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE

THURSDAY, APRIL 26, 2018

THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND THE DISPOSITION OF REAL AND PERSONAL PROPERTY, SUBJECT TO CERTAIN EXEMPTIONS, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION, AND TO PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA PROCUREMENT CODE, SO AS TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT AN ENTERPRISE DIVISION IF A DIVISION IS ESTABLISHED PURSUANT TO CHAPTER 157, TITLE 59 IF THE BOARD OF TRUSTEES ADOPTS A PROCUREMENT POLICY FOR THE DIVISION THAT IS APPROVED BY THE AUTHORITY.

Ordered for consideration tomorrow.

Motion Failed

Pursuant to Rule 47, Senator PEELER moved to place the Bill on the calendar.

The motion failed and the Bill was returned to the Committee on Education.

Senator CAMPSER from the Committee on Fish, Game and Forestry polled out H. 4715 favorable:

H. 4715 -- Reps. Kirby, Ott, Hiott, Hixon, Chumley, Burns, Johnson, Duckworth, Wheeler, Dillard, Forrest and Atkinson: A BILL TO AMEND SECTION 50-23-11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT DEALER DEMONSTRATION NUMBERS, SO AS TO PROVIDE FOR A THIRTY-DOLLAR APPLICATION FEE, TO PROVIDE FOR THE EXPIRATION OF DEMONSTRATION NUMBERS, AND TO PROVIDE FOR THE USE OF FEE REVENUE; TO AMEND SECTION 50-23-70, AS AMENDED, RELATING TO MOTORCRAFT CERTIFICATE OF NUMBER FEES AND DECALS, SO AS TO PROHIBIT THE DEPARTMENT OF NATURAL RESOURCES FROM ISSUING DUPLICATE DECALS WHEN AD VALOREM TAXES ARE OUTSTANDING; TO AMEND SECTION 50-23-340, RELATING TO THE APPLICATION FEE FOR WATERCRAFT CERTIFICATE OF NUMBERS, SO AS TO REDUCE THE FEE TO TEN DOLLARS; TO AMEND SECTION 50-23-345, AS

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THURSDAY, APRIL 26, 2018

AMENDED, RELATING TO TEMPORARY WATERCRAFT CERTIFICATE OF NUMBERS, SO AS TO PROVIDE A CERTIFICATE OF NUMBER MAY NOT BE ISSUED UNTIL AD VALOREM TAXES ARE PAID FOR THE YEAR IN WHICH THE CERTIFICATE IS ISSUED; TO AMEND SECTION 50-23-370, AS AMENDED, RELATING TO THE EXPIRATION AND RENEWAL OF WATERCRAFT CERTIFICATES OF NUMBER, SO AS TO PROVIDE FOR THE ISSUANCE OF RENEWAL NOTICES AND PROCESSING OF RENEWALS BY COUNTY AUDITORS, AND TO MAKE RENEWALS ANNUAL INSTEAD OF EVERY THREE YEARS, AND TO PROVIDE FOR THE IMPLEMENTATION OF THESE PROVISIONS OVER A THREE-YEAR PERIOD; BY ADDING SECTION 50-23-12 SO AS TO REQUIRE THE COMPLETION OF CERTAIN CHANGE IN STATUS FORMS FOR WATERCRAFT AND OUTBOARD MOTOR TRADE-INS; BY ADDING SECTION 50-23-35 SO AS TO PROVIDE FOR THE ISSUANCE OF WATERCRAFT TITLES UPON PROVIDING EVIDENCE OF AD VALOREM TAX PAYMENT, AND TO PROVIDE EXCEPTIONS; AND BY ADDING ARTICLE 26 TO CHAPTER 37, TITLE 12 SO AS TO PROVIDE PROCEDURES CONCERNING ASSESSMENTS AND PAYMENTS FOR PROPERTY TAXATION OF BOATS AND WATERCRAFT AND THE ISSUANCE OF CERTIFICATES OF NUMBER FOR BOATS AND WATERCRAFT

**Poll of the Fish, Game and Forestry Committee
Polled 17; Ayes 17; Nays 0**

AYES

Campsen	Hutto	Cromer
Williams	Sheheen	Gregory
McElveen	Young	<i>Margie Matthews</i>
<i>John Matthews</i>	Fanning	Goldfinch
Rice	Talley	Timmons
Corbin	Cash	

Total--17

NAYS

Total--0

THURSDAY, APRIL 26, 2018

Ordered for consideration tomorrow.

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

H. 4810 -- Reps. Gilliard, Williams, Hosey, Jefferson, Cobb-Hunter, Henegan, Ott, King, Govan, Howard, Pendarvis, Brown, Huggins, Ballentine, Henderson-Myers, W. Newton, McCoy, Hewitt, Stavrinakis, Bannister and Herbkersman: A JOINT RESOLUTION TO CREATE THE "SCHOOL METAL DETECTOR STUDY COMMITTEE" TO STUDY WHETHER IT IS IN THE PUBLIC INTEREST TO REQUIRE THE INSTALLATION AND USE OF METAL DETECTORS AT PUBLIC SCHOOLS IN THIS STATE, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, AND TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 4875 -- Reps. Ott and Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 50 SO AS TO ENACT THE "SOUTH CAROLINA SOLAR HABITAT ACT" TO ESTABLISH VOLUNTARY SOLAR BEST-MANAGEMENT PRACTICES FOR COMMERCIAL SOLAR ENERGY GENERATION SITES, TO ESTABLISH A NATIVE VEGETATION HABITAT AND POLLINATOR MANAGEMENT PLAN TO BE USED AS TECHNICAL GUIDANCE FOR THE PURPOSES OF THIS ACT, AND TO PROVIDE THAT CERTIFICATES OF COMPLIANCE MAY BE ISSUED TO ENTITIES THAT MEET SOLAR SITE GUIDELINES ESTABLISHED PURSUANT TO THIS ACT.

Ordered for consideration tomorrow.

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

H. 4931 -- Reps. Elliott, Alexander, Simrill, Stringer, West, Allison, Henderson, G.R. Smith, Burns, Trantham, Hamilton, Bannister, Putnam, Robinson-Simpson, Chumley, Taylor, Douglas, Knight, Dillard and Blackwell: A BILL TO AMEND SECTION 59-103-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSIONS AND FOCUSES OF

THURSDAY, APRIL 26, 2018

INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE AN APPLIED BACCALAUREATE IN MANUFACTURING DEGREE IF STATE FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

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

H. 5042 -- Reps. Felder and Allison: A BILL TO AMEND SECTION 59-20-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE PROGRAM FOR IDENTIFYING PUBLIC SCHOOL DISTRICT FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT CAN COMPROMISE THE FISCAL INTEGRITY OF THE DISTRICTS AND FOR ADVISING THE DISTRICTS ON APPROPRIATE CORRECTIVE ACTIONS, SO AS TO REVISE RELATED PROCEDURES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 5063 -- Reps. Funderburk and Erickson: A BILL TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF HOME-BASED FOOD PRODUCTION OPERATIONS TO APPLY FOR REGULATORY EXEMPTIONS FROM THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE, SO AS TO REFLECT THAT THE DEPARTMENT OF AGRICULTURE DOES NOT HAVE REGULATORY AUTHORITY OVER HOME-BASED FOOD PRODUCTION OPERATIONS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 5152 -- Reps. V.S. Moss and Hixon: A BILL TO AMEND SECTION 39-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IDENTIFICATION TAGS PLACED ON COTTON BALES STORED IN A WAREHOUSE OPERATED UNDER THE STATE WAREHOUSE SYSTEM, SO AS TO PROVIDE ADDITIONAL TYPES OF IDENTIFICATION NUMBERS, TAGS, AND STICKERS THAT THE WAREHOUSE MAY UTILIZE.

Ordered for consideration tomorrow.

THURSDAY, APRIL 26, 2018

INVITATIONS ACCEPTED

On motion of Senator DAVIS, with unanimous consent, the following invitations were polled favorably from the Committee on Invitations and ordered placed on the Calendar:

Wednesday, May 2, 2018 - 8:00am-10:00am

Members Only, Breakfast, Blatt 112, by the **AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS SOUTH CAROLINA CHAPTER**

Wednesday, May 2, 2018 - 12:00pm-2:00pm

Members and Staff, Luncheon, State House Grounds, by the **PALMETTO CONSERVATION FOUNDATION**

Wednesday, May 2, 2018 - 6:00pm-8:00pm

Members and Staff, Reception, Columbia Metropolitan Convention Center, by **SOUTH CAROLINA FUTURE MINDS**

Thursday, May 3, 2018 - 8:00am-10:00am

Members and Staff, Breakfast, Blatt 112, by **STATE FARM INSURANCE COMPANIES**

Wednesday, May 9, 2018 - 8:00am-10:00am

Members and Staff, Breakfast, Blatt 112, by the **AMERICAN PETROLEUM INSTITUTE**

Wednesday, May 9, 2018 - 11:30am-2:00pm

Members and Staff, Luncheon, State House Grounds, by the **SOUTH CAROLINA TIRE MANUFACTURERS COUNCIL**

Poll of the Invitations Committee

Polled 11; Ayes 11; Nays 0

AYES

Davis	Alexander	Reese
Campsen	Cromer	Malloy
Johnson	Nicholson	Hembree
Young	Goldfinch	

Total--11

NAYS

[SJ]

10

THURSDAY, APRIL 26, 2018

Total--0

Ordered for consideration tomorrow.

Appointments Reported

Senator PEELER from the Committee on Education submitted a favorable report on:

Statewide Appointments

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

James C. Kesler, 1970 Trinity Church Road, Newberry, SC 29108-8747
VICE Patricia Sara Silva

Received as information.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2018, and to expire July 1, 2020

Public Research Institutions:

James A. Battle, Jr., Post Office Box 536, Nichols, SC 29581-0536
VICE Louis B. Lynn

Received as information.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

Ronald M. Davis, 115 La Port Drive, Greenwood, SC 29649-9179
VICE Daniel B. Shonka

Received as information.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2016, and to expire April 1, 2021

At-Large:

Edgar Lamb, 199 Plum Branch Road, Edgefield, SC 29824-3647
VICE Donna Moore Wesby

THURSDAY, APRIL 26, 2018

Received as information.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2014, and to expire April 1, 2019

At-Large:

Alton O. Smith, Jr., 164 Cardinal Court, Chesnee, SC 29323-9686
VICE Barbara Devinney

Received as information.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence May 3, 2018, and to expire May 3, 2021

At-Large - Gubernatorial:

Cynthia C. Mosteller, 574 Needlerush Parkway, Mt. Pleasant, SC 29464-6246 *VICE* Donald L. McLaurin

Received as information.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

Hugh Mitchell Bland, 609 Buncombe Street, Edgefield, SC 29824-1016 *VICE* Felicia Sampson Preston

Received as information.

Reappointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

Melissa A. Tilden, 114 Sherwood Dr., Laurens, SC 29360

Received as information.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2018, and to expire July 1, 2020

Four-Year Institutions:

Linda Dolny, 704 South Broad Street, Clinton, SC 29325-2814 *VICE*
Allison Dean Love

THURSDAY, APRIL 26, 2018

Received as information.

Motion to Ratify Adopted

At 11:55 A.M., Senator LEATHERMAN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Expression of Personal Interest

Senator FANNING rose for an Expression of Personal Interest.

Message from the House

Columbia, S.C., April 26, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 918 -- Senators Peeler, Malloy, Hembree and M.B. Matthews: 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

[SJ]

THURSDAY, APRIL 26, 2018

DISPENSING IN CERTAIN CIRCUMSTANCES, TO CHANGE THE REQUIREMENTS FOR PRACTITIONERS TO REVIEW PRESCRIPTION HISTORY BEFORE PRESCRIBING SELECT 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.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 26, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 954 -- Senators Leatherman, Setzler, Massey and Fanning: A JOINT RESOLUTION TO PROVIDE FOR AN EXPERIMENTAL RATE FOR CUSTOMERS OF A PUBLIC UTILITY WHO ARE PAYING COSTS ASSOCIATED WITH THE BASE LOAD REVIEW ACT; TO PROHIBIT THE PUBLIC SERVICE COMMISSION FROM HOLDING A HEARING ON THE MERITS FOR A MATTER RELATED TO THE BASE LOAD REVIEW ACT BEFORE NOVEMBER 1, 2018, BUT MUST ISSUE A FINAL ORDER ON THE MERITS BY DECEMBER 21, 2018; AND TO SUSPEND PROVISIONS IN TITLE 58 THAT ARE IN CONFLICT WITH THE PROVISIONS OF THIS JOINT RESOLUTION FOR MATTERS RELATED TO THE V.C. SUMMER NUCLEAR REACTOR UNITS 2 AND 3 UNTIL THE PUBLIC SERVICE COMMISSION ISSUES ITS FINAL ORDER IN THE MATTER.

Very respectfully,

Speaker of the House

Received as information.

[SJ]

THURSDAY, APRIL 26, 2018

S. 954--SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator MASSEY, the Senate insisted upon its amendments to S. 954 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators SETZLER, RANKIN and MASSEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., April 26, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, APRIL 26, 2018

Message from the House

Columbia, S.C., April 26, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4116 -- Reprs. Ridgeway, Douglas, Spires, G.M. Smith, Clemmons, Tallon and Cole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-47-38 SO AS TO PROVIDE THAT NO PROVISION OF THE MEDICAL PRACTICE ACT MAY BE CONSTRUED TO REQUIRE A PHYSICIAN TO SECURE A MAINTENANCE OF CERTIFICATION AS A CONDITION OF LICENSURE, REIMBURSEMENT, EMPLOYMENT, OR ADMITTING PRIVILEGES AT A HOSPITAL IN THIS STATE; AND TO DEFINE A NECESSARY TERM.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 26, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4488 -- Reprs. Henderson, Fry, Hewitt, West, Spires, Atwater, Erickson, Norrell, Weeks, Douglas, Dillard, Ridgeway and Huggins: A BILL TO AMEND SECTION 44-53-1650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PERSONS AUTHORIZED TO HAVE ACCESS TO DATA MAINTAINED IN THE PRESCRIPTION MONITORING PROGRAM, SO AS TO AUTHORIZE CORONERS, DEPUTY CORONERS, MEDICAL EXAMINERS, AND DEPUTY MEDICAL EXAMINERS IN CERTAIN CIRCUMSTANCES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

THURSDAY, APRIL 26, 2018

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

ORDERED ENROLLED FOR RATIFICATION

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

H. 4592 -- Reps. Allison and Forrester: A BILL TO AMEND ACT 248 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE STARTEX AREA FIRE DISTRICT IN SPARTANBURG COUNTY, SO AS TO INCREASE THE BORROWING LIMITS OF THE DISTRICT FROM FIVE HUNDRED THOUSAND TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS.

H. 4600 -- Reps. Huggins, Bedingfield, Alexander, Dillard, Douglas, Erickson, Fry, Henderson, Hewitt, Ridgeway, Spires, West, Norrell, Weeks, Rutherford and Atwater: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-70 SO AS TO AUTHORIZE CERTAIN COMMUNITY ORGANIZATIONS TO DISTRIBUTE OPIOID ANTIDOTES TO A PERSON AT RISK OF EXPERIENCING AN OPIOID-RELATED OVERDOSE OR TO A CAREGIVER OF SUCH A PERSON; AND TO AMEND SECTION 44-130-20, RELATING TO TERMS DEFINED IN THE SOUTH CAROLINA OVERDOSE PREVENTION ACT, SO AS TO ADD A DEFINITION FOR "COMMUNITY DISTRIBUTOR".

H. 4644 -- Reps. Dillard, Anthony, Atkinson, Kirby, Henderson-Myers, Martin, Burns, Williams, Yow, W. Newton, Hewitt, Blackwell, Forrest and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-96-85 SO AS TO ESTABLISH THE SOLID WASTE EMERGENCY FUND, TO PROVIDE FOR THE FUNDING OF THE FUND, TO PROVIDE EXCEPTIONS, TO AUTHORIZE THE RECOVERY OF COSTS BY THE ATTORNEY GENERAL OR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO AUTHORIZE A REPRESENTATIVE TO INVESTIGATE A WASTE MANAGEMENT SITE AT ANY TIME TO ADDRESS AN EMERGENCY SITUATION; BY AMENDING SECTION 44-96-120, RELATED TO THE SOLID WASTE MANAGEMENT TRUST FUND, SO AS TO INCLUDE FUNDING THE SOLID WASTE EMERGENCY FUND IN THE LIST OF AUTHORIZED SOLID

THURSDAY, APRIL 26, 2018

WASTE MANAGEMENT TRUST FUND EXPENDITURES; BY AMENDING SECTION 44-96-290, RELATING TO SOLID WASTE MANAGEMENT FACILITY PERMITTING, SO AS TO ALLOW THE DEPARTMENT TO LIMIT DEMONSTRATION OF NEED REQUIREMENTS, TO REMOVE LOCAL LAND USE AND ZONING ORDINANCES FROM A CONSTRUCTION PERMIT TO BUILD A NEW SOLID WASTE MANAGEMENT FACILITY OR EXPAND AN EXISTING FACILITY, AND TO REQUIRE A PERSON SEEKING A CONSTRUCTION PERMIT TO PROVIDE DOCUMENTATION OF COMPLIANCE WITH LOCAL LAND USE AND ZONING ORDINANCES; AND BY AMENDING SECTION 44-96-360, RELATING TO SOLID WASTE PROCESSING FACILITIES, SO AS TO ESTABLISH CERTAIN CONDITIONS FOR FACILITIES THAT RECYCLE CONSTRUCTION AND DEMOLITION DEBRIS.

H. 4935 -- Reps. Felder, Douglas, Ridgeway and Bryant: A JOINT RESOLUTION TO CREATE THE "SOUTH CAROLINA PALLIATIVE CARE AND QUALITY OF LIFE STUDY COMMITTEE"; TO PROVIDE FOR THE PURPOSE, MEMBERSHIP, AND DUTIES OF THE STUDY COMMITTEE; AND FOR OTHER PURPOSES.

H. 3177 -- Reps. Clemmons, G.R. Smith, Bedingfield and Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-31-60 SO AS TO REQUIRE THAT ON THE EFFECTIVE DATE OF THIS ACT RECOGNIZED NATIVE AMERICAN INDIAN GROUPS CONTINUE TO BE RECOGNIZED AND ELIGIBLE TO EXERCISE PRIVILEGES AND OBLIGATIONS AUTHORIZED BY THAT DESIGNATION, THAT THE COMMISSION FOR MINORITY AFFAIRS CEASE TO RECOGNIZE ADDITIONAL NATIVE AMERICAN INDIAN GROUPS, THAT ANY REGULATIONS PROVIDING FOR RECOGNITION AS A NATIVE AMERICAN INDIAN GROUP ARE REPEALED, AND THAT THE COMMISSION REVISE ITS REGULATIONS TO PROVIDE FOR THE PRIVILEGES AND OBLIGATIONS OF NATIVE AMERICAN INDIAN GROUPS THAT CONTINUE TO BE RECOGNIZED.

THURSDAY, APRIL 26, 2018

H. 4946 -- Reps. Erickson, Bradley, Bowers and M. Rivers: A BILL TO AMEND SECTION 50-5-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SHELLFISH IMPORTATION PERMITS, SO AS TO DELETE THE PROVISION THAT ALLOWS THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE PERMITS TO PERSONS TO POSSESS, PRODUCE, PURCHASE, OR SELL GENETICALLY MODIFIED SHELLFISH, AND THE PROVISION THAT PROHIBITS THE PLACEMENT OF GENETICALLY MODIFIED SHELLFISH IN THE WATERS OF THIS STATE WITHOUT A PERMIT.

H. 5038 -- Reps. Atwater, Bradley, Howard, Thayer, Gagnon, Huggins, Hewitt, McGinnis, Hayes, Willis, Spires, Ballentine, G.M. Smith, Sandifer, Norrell, Henderson, Toole, Erickson, Cobb-Hunter, Ott, Ridgeway, McEachern, Douglas, Rutherford, Bernstein, W. Newton, Clary, Anthony, Wheeler, Anderson, Kirby, Alexander, Tallon and Elliott: A BILL TO AMEND SECTION 38-71-2130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF A PHARMACY BENEFIT MANAGER, SO AS TO ESTABLISH PROHIBITED ACTS FOR A PHARMACY BENEFIT MANAGER.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments.

H. 3826 -- Reps. Huggins, Bedingfield, Fry, Henderson, Johnson, Hewitt, Crawford, Duckworth, Allison, Forrester, Tallon, Hamilton, Felder, Elliott, B. Newton, Martin, Erickson, Dillard, G.R. Smith, Robinson-Simpson, Long, Taylor, Hixon, Arrington, Bennett, W. Newton, Putnam and Cogswell: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP A COUNTERFEIT-RESISTANT PRESCRIPTION BLANK, WHICH MUST BE USED BY PRACTITIONERS FOR THE PURPOSE OF PRESCRIBING CONTROLLED SUBSTANCES.

H. 4117 -- Reps. Henderson, Bedingfield and Fry: A BILL TO AMEND SECTION 44-53-1650, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS TO

THURSDAY, APRIL 26, 2018

CONFIDENTIALITY OF DATA IN THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD AN EXCEPTION FOR THE PROVISION OF DATA TO DRUG COURTS.

H. 4672 -- Reprs. Elliott, B. Newton, Allison, Felder, Bryant, Putnam, Martin, Arrington, Thigpen, Gagnon, Thayer, Douglas, Govan, Anderson, McGinnis, Huggins, Tallon, Daning, D.C. Moss, Long, Henderson, Mace, Cogswell, West, Chumley, Gilliard, Atwater, J.E. Smith, Bernstein, Jefferson, Williams, W. Newton, Henderson-Myers, Ballentine, Bowers, Weeks and M. Rivers: A BILL TO AMEND SECTION 56-1-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VISION SCREENING REQUIRED FOR ISSUANCE OF A DRIVER'S LICENSE, SO AS TO PROVIDE THAT VISION SCREENING IS REQUIRED UPON RENEWAL OF A LICENSE, AND TO PROVIDE THAT A CERTIFICATE OF VISION EXAMINATION FORM MUST BE EXECUTED BY THE CERTIFYING OPHTHALMOLOGIST OR OPTOMETRIST.

AMENDED, READ THE SECOND TIME

S. 1047 -- Senator Hutto: A BILL TO AMEND AN ACT OF 2017, BEARING RATIFICATION NUMBER 127, RELATING TO THE CONSOLIDATION OF THE THREE SCHOOL DISTRICTS OF ORANGEBURG COUNTY INTO ONE SCHOOL DISTRICT EFFECTIVE JULY 1, 2019, SO AS TO PROVIDE THAT THE ORANGEBURG COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A NINE MEMBER BOARD OF TRUSTEES ELECTED FROM SINGLE-MEMBER DISTRICTS, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE ELECTION DISTRICTS.

The Senate proceeded to a consideration of the Bill.

Senator JOHN MATTHEWS proposed the following amendment (ZW\1047C001.GGS.ZW18), which was adopted:

Amend the bill, as and if amended, Section 2(B) of an Act of 2017 bearing ratification number 127, as contained in SECTION 1, beginning on Page 3, by deleting Section 2(B) in its entirety and inserting:

/ (B)(1) Beginning with the Orangeburg County School District elections in 2018, the nine single-member election districts from which members of the Orangeburg County School District Board of Trustees must be elected are as shown on the Orangeburg County School District

THURSDAY, APRIL 26, 2018

Board of Trustees map S-75-00-18A as maintained by the Revenue and Fiscal Affairs Office.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_Wht	%NH_Wht	NH_BlK	%NH_BlK
*1	9,848	-430	-4.18%	5,684	57.72%	3,805	38.64%
2	10,527	249	2.42%	5,692	54.07%	4,450	42.27%
*3	9,859	-419	-4.08%	5,449	55.27%	3,981	40.38%
4	10,607	329	3.20%	3,389	31.95%	6,589	62.12%
*5	10,486	208	2.02%	1,509	14.39%	8,591	81.93%
6	10,455	177	1.72%	1,306	12.49%	8,660	82.83%
*7	10,598	320	3.11%	1,764	16.64%	8,564	80.81%
8	9,799	-479	-4.66%	3,114	31.78%	6,375	65.06%
*9	10,322	44	0.43%	3,299	31.96%	6,606	64.00%
TOTAL	92,501			31,206	33.74%	57,621	62.29%

District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
*1	7,379	4,404	59.68%	2,726	36.94%	359	249
2	8,089	4,527	55.96%	3,282	40.57%	385	280
*3	7,456	4,334	58.13%	2,829	37.94%	429	293
4	8,042	2,812	34.97%	4,775	59.38%	629	455
*5	8,082	1,266	15.66%	6,531	80.81%	386	285
6	7,812	1,141	14.61%	6,325	80.97%	489	346
*7	8,748	1,447	16.54%	7,118	81.37%	270	183
8	7,573	2,700	35.65%	4,667	61.63%	310	206
*9	7,881	2,783	35.31%	4,813	61.07%	417	285
TOTAL	71,062	25,414	35.76%	43,066	60.60%	3,674	2,582

*Denotes: 4-year Term /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

S. 1047--Ordered to a Third Reading

On motion of Senator HUTTO, S. 1047 was ordered to receive a third reading on Friday, April 27, 2018.

READ THE SECOND TIME

H. 5272 -- Rep. Parks: A BILL TO AMEND ACT 185 OF 1997, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 4 OF MCCORMICK COUNTY, SO AS TO REVISE THE FILING PERIOD FOR STATEMENTS OF CANDIDACY.

THURSDAY, APRIL 26, 2018

On motion of Senator NICHOLSON.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 1043 -- Senators Turner and Talley: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE UNTIL DECEMBER 31, 2025.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\1043C004.BBM.DG18), which was adopted:

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

/ SECTION 1. Notwithstanding SECTION 1.B. of Act 57 of 2013, the provisions of Chapter 67, Title 12 of the 1976 Code are repealed on December 31, 2021.

SECTION 2. A. Section 12-67-140 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“() For building sites which have had no portion thereof placed into service before July 1, 2018, and upon which is located a redeveloped multi-floor structure that is listed on the National Register of Historic Places, the taxpayer may subdivide the structure into separate units in the manner as provided for in this chapter, except that up to seven separate floors may be considered seven separate subdivided units if a floor is redeveloped for the exclusive use as a residential apartment or apartments. Before making an initial claim for tax credits pursuant to this chapter, in lieu of the requirements of Section 12-67-140(B)(1), a taxpayer utilizing the provisions of this subsection must notify the department in writing of his intent to claim tax credits pursuant to this chapter, providing any information required by the department, including, but not necessarily limited to, the location of the building site, the actual expenses incurred in connection with the rehabilitation of the building site, the number of units for which a credit is being claimed, and the date the building site will be placed in service. Except as specifically provided otherwise in this subsection, taxpayers are subject to all other requirements of this chapter.”

B. This SECTION takes effect upon approval by the Governor and first applies to eligible building sites placed in service after June 30, 2018.

THURSDAY, APRIL 26, 2018

SECTION 3. Except where specified otherwise, this act takes effect upon approval by the Governor. /

Re-number sections to conform.

Amend title to conform.

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

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	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
Shealy	Sheheen	Talley
Timmons	Turner	Verdin
Williams	Young	

Total--41

NAYS

Massey

Total--1

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

S. 1043--Ordered to a Third Reading

On motion of Senator TURNER, with unanimous consent, S. 1043 was ordered to receive a third reading on Friday, April 27, 2018.

THURSDAY, APRIL 26, 2018

REMOVED FROM CONSENT CALENDAR

H. 4009 -- Reps. Lucas, Williams, Crawford, Alexander, McCoy, Hiott, Clemmons, Bales, Bedingfield, Ott, G.R. Smith, Herbkersman, Sandifer and S. Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 69 TO TITLE 12 SO AS TO ENACT THE "MOTORSPORTS ENTERTAINMENT COMPLEX INVESTMENT ACT" BY EXEMPTING CERTAIN BUILDING MATERIALS FOR A COMPLEX FROM THE SALES TAX AND TO PROVIDE THE PROCESS BY WHICH A QUALIFIED COMPANY MAY CLAIM THE EXEMPTION, TO CREATE THE MOTORSPORTS TOURISM INCENTIVE FUND TO AWARD GRANTS OR LOANS TO ATTRACT AND EXPAND TOURISM AND HOSPITALITY PROJECTS RELATED TO EVENTS AT SUCH COMPLEXES, TO PROVIDE THAT A COMPLEX IS ELIGIBLE FOR BENEFITS FROM THE CLOSING FUND, TO ALLOW A TAX CREDIT OF TWENTY-FIVE PERCENT OF THE COSTS INCURRED BY A TAXPAYER TO INSTALL EQUIPMENT OR TECHNOLOGY THAT ALLOWS INFORMATION TO BE TRANSMITTED THROUGH A WIRELESS LOCAL AREA NETWORK AT A COMPLEX; TO AMEND SECTION 12-20-110, RELATING TO THE APPLICABILITY OF CORPORATION LICENSE FEE PROVISIONS, SO AS TO MAKE SUCH PROVISIONS INAPPLICABLE TO A COMPLEX; AND TO AMEND SECTION 12-21-2425, RELATING TO THE ADMISSION LICENSE TAX, SO AS TO INCREASE THE EXEMPTION ON A COMPLEX, TO REMOVE THE TIME PERIOD FOR THE EXEMPTION, AND TO PROVIDE THAT THE EXEMPTED REVENUE MUST BE USED ON MARKETING FOR EVENTS AT THE COMPLEX.

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

Objection

Senator LEATHERMAN asked unanimous consent to make a motion to have the Bill read the second time, carrying over all amendments, and waiving the provisions of Rule 26B to take up further amendments on third reading.

Senator SENN objected.

THURSDAY, APRIL 26, 2018

AMENDED, READ THE SECOND TIME

H. 4705 -- Reps. Bannister, Elliott, Arrington, Long, Chumley, B. Newton, Martin, Henderson-Myers, G.R. Smith, Trantham, Bryant, Hamilton, Hixon, S. Rivers, Stringer, Brawley and Ballentine: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATED REPORTERS OF CHILD ABUSE OR NEGLECT, SO AS TO ADD RELIGIOUS COUNSELORS AS MANDATED REPORTERS.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN proposed the following amendment (4705R003.DR.VAS), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 33 through 38 and inserting:

/Practitioner or religious healer, ~~clerical or nonclerical religious counselor who charges for services~~, school teacher, counselor, principal,

/

Amend the bill further, as and if amended, page 1, by striking line 42, and page 2, by striking line 1 and inserting:

/police or law enforcement officer, juvenile justice worker, undertaker, /

Re-number sections to conform.

Amend title to conform.

Senator SHEHEEN explained the Bill.

The amendment was adopted.

Statement by Senator CLIMER

The vote on Senator SHEHEEN'S amendment to strip certain youth volunteers from the mandatory reporting of sexual abuse, as provided for in H. 4705 was conducted by voice, and I would like to be recorded as opposing that amendment.

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

[SJ]

25

THURSDAY, APRIL 26, 2018

Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	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

H. 4673 -- Reps. G.M. Smith, Brawley and Weeks: A BILL TO AMEND SECTION 62-2-507, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OF CERTAIN BENEFICIARY DESIGNATIONS BY DIVORCE, ANNULMENT, OR AN ORDER TERMINATING MARITAL PROPERTY RIGHTS, SO AS TO EXEMPT BENEFICIARY DESIGNATIONS UNDER EMPLOYEE BENEFIT PLANS ADMINISTERED BY THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD4673.001), which was adopted:

THURSDAY, APRIL 26, 2018

Amend the bill as and if amended, page 1, by striking lines 33 through 38, in Section 62-2-507(a)(4), as contained in SECTION 1, and inserting therein the following:

/ and transfer on death accounts. ‘Governing instrument’ does not include a beneficiary designation made in connection with a governmental employee benefit plan established or maintained for employees of the government of the State or a political subdivision thereof, or by an agency or instrumentality of any of the foregoing. /

Renumber sections to conform.
Amend title to conform.

Senator MASSEY 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 39; Nays 1

AYES

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

Total--39

NAYS

Matthews, Margie

Total--1

THURSDAY, APRIL 26, 2018

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

READ THE SECOND TIME

H. 5153 -- Rep. Delleney: A BILL TO AMEND SECTION 42-17-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN WORKERS' COMPENSATION COMMISSION HEARINGS CONCERNING COMPENSATION PAYABLE, SO AS TO PROVIDE THESE HEARINGS MUST BE HELD IN THE DISTRICTS IN WHICH THE INJURIES OCCURRED INSTEAD OF THE CITIES OR COUNTIES IN WHICH THE INJURIES OCCURRED, AND TO PROVIDE THESE DISTRICTS MUST BE DETERMINED BY THE COMMISSION.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 25; Nays 17

AYES

Allen	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Jackson	Massey
Nicholson	Rankin	Reese
Sabb	Senn	Shealy
Talley	Timmons	Turner
Young		

Total--25

NAYS

Alexander	Cromer	Fanning
Johnson	Kimpson	Leatherman
Malloy	Martin	<i>Matthews, Margie</i>
McElveen	McLeod	Peeler
Rice	Scott	Sheheen

THURSDAY, APRIL 26, 2018

Verdin

Williams

Total--17

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

AMENDED, READ THE SECOND TIME

S. 1190 -- Senators Sheheen, Campsen, Verdin and Campbell: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO FOCUS THE RESOURCES OF THE DEPARTMENT'S DAMS AND RESERVOIRS SAFETY PROGRAM ON REGULATING THE STATE'S HIGH AND SIGNIFICANT HAZARD DAMS.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPBELL proposed the following amendment (1190R001.SP.PGC), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking line 40 and inserting:

/ reclassifying dams when the failure or improper operation of a dam will likely result in loss of human life. /

Re-number sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

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
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Jackson	Johnson

[SJ]

29

THURSDAY, APRIL 26, 2018

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

Total--43

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 3895 -- Rep. Herbkersman: A BILL TO AMEND ARTICLES 9 AND 11 OF CHAPTER 9, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REVENUE AND FISCAL AFFAIRS, SO AS TO REORGANIZE THE ARTICLES, TO ELIMINATE CERTAIN DIVISIONS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 2-7-71 AND 2-7-78, RELATING TO CERTAIN IMPACT STATEMENTS, SO AS TO REQUIRE THE STATEMENTS TO BE CERTIFIED BY THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 2-7-73, AS AMENDED, RELATING TO HEALTH COVERAGE IMPACT STATEMENTS, SO AS TO REQUIRE THE DEPARTMENT OF INSURANCE TO CONDUCT THE ANALYSIS; TO AMEND SECTION 4-10-790, RELATING TO DISTRIBUTIONS FROM A LOCAL OPTION SALES AND USE TAX, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FURNISH DATA TO THE STATE TREASURER, AND TO REQUIRE THE REVENUE AND FISCAL AFFAIRS OFFICE TO PROVIDE CERTAIN ASSISTANCE; TO AMEND SECTION 6-1-50, AS AMENDED, RELATING TO FINANCIAL REPORTS FROM COUNTIES AND MUNICIPALITIES, SO AS TO

[SJ]

THURSDAY, APRIL 26, 2018

DELAY THE REPORTS UNTIL MARCH FIFTEENTH; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO ALLOW THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE TO APPOINT A MEMBER; TO AMEND SECTIONS 27-2-85 AND 27-2-95, RELATING TO THE SOUTH CAROLINA GEODETIC SURVEY, SO AS TO DELETE OBSOLETE REFERENCES; TO AMEND SECTION 44-6-170, RELATING TO THE DATA OVERSIGHT COUNCIL, SO AS TO DELETE OBSOLETE REFERENCES, AND TO REVISE THE COMPOSITION OF THE COUNCIL; TO AMEND SECTION 44-6-5, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO DELETE AN OBSOLETE REFERENCE; TO REDESIGNATE CERTAIN SECTIONS OF THE CODE; AND TO REPEAL SECTIONS 1-11-360, 2-7-62, 44-6-175, AND 48-22-20 ALL RELATING TO THE DUTIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG3895C004.BBM.DG18), which was adopted:

Amend the bill, as and if amended, SECTION 2, beginning on page 4, by striking Section 11-9-850 and inserting:

/ Section 11-9-850. ~~(A) The Office of Research and Statistics must be comprised of an Economic Research division and an Office of Precinct Demographics division.~~

~~(B) The Economic Research division shall maintain the organizational and procedural framework under which it is operating, and exercise its powers, duties, and responsibilities, as of the effective date of this section.~~

~~(C) The Office of Precinct Demographics shall:~~ The Revenue and Fiscal Affairs Office must be comprised of a Digital Cartography and Precinct Demographics section, which shall report directly to the Executive Director and be identified as a distinct programmatic unit with the office's budget in the annual general appropriations act. The Digital Cartography and Precinct Demographics section shall:

(1) review existing precinct boundaries and maps for accuracy and develop and rewrite descriptions of precincts for submission to the legislative process;

(2) consult with members of the General Assembly or their designees on matters related to precinct construction or discrepancies

THURSDAY, APRIL 26, 2018

that may exist or occur in precinct boundary development in the counties they represent;

(3) develop a system for originating and maintaining precinct maps and related data for the State;

(4) represent the General Assembly at public meetings, ~~meetings with members of the General Assembly~~, and meetings with other state, county, or local governmental entities on matters related to precincts;

(5) represent the office at public meetings, meetings with members of the General Assembly, and meetings with other state, county, or local governmental entities on matters related to precincts;

(6) assist the appropriate county officials in the drawing of maps and writing of descriptions or precincts preliminary to these maps and descriptions being filed in this office for submission to the United States Department of Justice;

~~(6)~~(7) coordinate with the Census Bureau in the use of precinct boundaries in constructing census boundaries and the identification of effective uses of precinct and census information for planning purposes; ~~and~~

~~(7)~~(8) serve as a focal point for verifying official precinct information for the counties of South Carolina; and

(9) consult with and provide assistance to the General Assembly on redistricting and reapportionment matters relating to any subdivision of the State. /

Amend the bill further, beginning on page 10, by striking SECTION 3.B. and inserting:

/ B.Section 2-7-73(A) of the 1976 Code is amended to read:

“(A) Any bill or resolution which would mandate a health coverage or offering of a health coverage by an insurance carrier, health care service contractor, or health maintenance organization as a component of individual or group policies, must have attached to it a statement of the financial impact of the coverage, according to the guidelines enumerated in subsection (B). This financial impact analysis must be conducted by the Revenue and Fiscal Affairs Office ~~and signed by an authorized agent of the Department of Insurance, or his designee.~~ The Department of Insurance shall provide an actuarial analysis and any additional information necessary for the determination of the fiscal impact within thirty days of a request by the Revenue and Fiscal Affairs Office. The statement required by this section must be delivered to the Senate or House committee to which any bill or resolution is referred, within thirty days, unless otherwise agreed to, of the written request of the chairman of such committee.” /

THURSDAY, APRIL 26, 2018

Amend the bill further, SECTION 5, page 12, by striking line 17 and inserting:

/ Fiscal Affairs Office to the Comptroller General and the State Treasurer that /

Amend the bill further, page 14, by striking SECTION 8.B. and inserting:

/ B.Section 44-6-170(H) of the 1976 Code is amended to read:

“(H)If a provider fails to submit the health care data as required by this section ~~or Section 44-6-175~~ or regulations promulgated pursuant to ~~those sections~~ this section, the ~~Office of Research and Statistics~~ office may assess a civil fine of up to five thousand dollars for each violation, but the total fine may not exceed ten thousand dollars.” /

Renumber sections to conform.

Amend title to conform.

Senator CROMER 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 42; Nays 0

AYES

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

Total--42

THURSDAY, APRIL 26, 2018

NAYS

Total--0

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

AMENDMENT PROPOSED, CARRIED OVER

S. 92 -- Senators Gregory, Bennett, Fanning and Shealy: A BILL TO AMEND SECTION 20-3-130(C), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE THAT CERTAIN EARNINGS OF A SUBSEQUENT SPOUSE ARE NOT TO BE CONSIDERED BY THE COURT WHEN MAKING, MODIFYING, OR TERMINATING THE AWARD OF ALIMONY.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0092.008):

Amend the committee report, as and if amended, page [92-4], by striking lines 17 through 39, in Section 20-3-130(C)(9), as contained in SECTION 2, and inserting therein the following:

/ (9) For purposes of this subsection and unless otherwise agreed to in writing by the parties, 'continued cohabitation' ~~means the supported spouse resides with another person in a romantic relationship for a period of ninety or more consecutive days. The court may determine that a continued cohabitation exists if there is evidence that the supported spouse resides with another person in a romantic relationship for periods of less than ninety days and the two periodically separate in order to circumvent the ninety day requirement~~ involves a mutually supportive, intimate personal relationship in which the supported spouse and another person undertake duties and privileges commonly associated with marriage, but who do not necessarily maintain a single common household.

In the determination of whether continued cohabitation exists, the court shall consider the following factors:

- (a) intertwined finances;
- (b) sharing or joint responsibility for living expenses;
- (c) recognition of the relationship in the couple's social circle, family circle, or community;

THURSDAY, APRIL 26, 2018

(d) living together, the frequency of contact, the duration of the relationship, and other indicia of a mutually supportive intimate personal relationship; and

(e) such other factors the court considers relevant.

A motion to terminate alimony on the basis of continued cohabitation may not be brought within one year of the date of entry of the order awarding alimony, unless the parties have agreed in writing that a motion may be brought or the court finds that failing to allow the motion to proceed would create an extreme hardship for one of the parties. /

Amend the committee report further, as and if amended, page [92-7], by striking line 14, in Section 20-3-150, as contained in SECTION 3, and inserting therein the following:

/ from the supporting spouse. However, a motion to terminate alimony on the basis of continued cohabitation may not be brought within one year of the date of entry of the order awarding alimony, unless the parties have agreed in writing that a motion may be brought or the court finds that failing to allow the motion to proceed would create an extreme hardship for one of the parties. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

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

CARRIED OVER

H. 3138 -- Reps. Stavrinakis, McCoy and Erickson: A BILL TO AMEND SECTION 61-4-550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE PERMITS TO SELL BEER AND WINE AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION FOR "FESTIVAL"; AND TO AMEND SECTION 61-6-2000, AS AMENDED, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE LICENSES TO SELL ALCOHOLIC LIQUOR BY THE DRINK AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION OF "FESTIVAL".

THURSDAY, APRIL 26, 2018

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

AMENDED, CARRIED OVER

H. 3549 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 61-6-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERMIT ISSUED FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IN PROXIMITY TO A CHURCH, SCHOOL, OR PLAYGROUND, SO AS TO PROVIDE THAT THE DECISION-MAKING BODY OF THE LOCAL SCHOOL MUST AFFIRMATIVELY STATE THAT IT DOES NOT OBJECT TO THE ISSUANCE OF A LICENSE.

The Senate proceeded to a consideration of the Bill.

Senators HUTTO and CASH proposed the following amendment (JUD3549.007), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 14, as contained in SECTION 2, and inserting therein the following:

/ ~~and churches, schools, or playgrounds.~~

(c) At the time of any renewal period for the specific license, a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school, may withdraw its statement declaring it does not object to the issuance of the specific license sought by notifying the department of its withdrawal. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

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

AMENDMENT PROPOSED, POINT OF ORDER

H. 4458 -- Reps. Johnson, Hixon, Kirby, Yow, Duckworth, Burns, Blackwell, Dillard, Davis, Forrest, Fry, Hewitt, Crawford, McGinnis, Ott, Bamberg, Erickson, Cobb-Hunter, Willis, Mace, Hill, Gagnon, West, Hardee, Wheeler, McEachern, Magnuson, Martin and Bowers: A BILL TO AMEND SECTION 16-11-700, CODE OF LAWS OF

THURSDAY, APRIL 26, 2018

SOUTH CAROLINA, 1976, RELATING TO THE DUMPING OF LITTER ON PRIVATE OR PUBLIC PROPERTY AND ITS PENALTIES, SO AS TO RESTRUCTURE THE OFFENSES TO ENSURE CIGARETTE BUTTS AND CIGARETTE COMPONENT LITTER AND DECEASED ANIMALS ARE INCLUDED IN THE PURVIEW OF THE STATUTE, AND TO RESTRUCTURE THE PENALTIES.

The Senate proceeded to a consideration of the Bill.

Senators McELVEEN, CAMPSSEN, and HUTTO proposed the following amendment (JUD4458.005):

Amend the bill, as and if amended, by striking lines beginning on page 4, line 39 and ending on page 5, line 2 and inserting:

/ (J)(1) This section shall not apply to the discarding of deceased fish, game, or wildlife, or the parts or remains thereof, taken as a result of legal hunting or fishing pursuant to Title 50. The exception provided for by this subsection does not apply to deceased animals, animal parts, or remains thereof that are deposited or discarded onto the private lands or waters of another without the owner's permission.

(2) For the purposes of subsections (E) and (F), illegal dumping is defined as disposing of more than fifteen pounds of any collection of solid waste, litter, or other materials defined in subsection (A), including discarded, deceased animals or deceased animal parts which create a hazard to the public health and welfare, but not defined as a careless, scattered littering of smaller items. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the Bill.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4479 -- Reps. Tallon, Hixon and W. Newton: A BILL TO AMEND SECTION 23-23-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE THAT THE LAW

THURSDAY, APRIL 26, 2018

ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO APPOINT ATTORNEYS EMPLOYED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO SIT AS HEARING OFFICERS FOR CONTESTED CASE HEARINGS; AND BY ADDING SECTION 23-23-150, SO AS TO PROVIDE THAT NO PERSON WHO HAS A PENDING ALLEGATION OF MISCONDUCT MAY BE EMPLOYED AS A LAW ENFORCEMENT OFFICER OR AS A TELECOMMUNICATIONS OPERATOR, MAY HAVE THE AUTHORITY OF A LAW ENFORCEMENT OFFICER, PERFORM ANY DUTIES OF A LAW ENFORCEMENT OFFICER, OR EXERCISE THE POWER OF ARREST UNTIL THE LAW ENFORCEMENT TRAINING COUNCIL OR AN APPELLATE COURT HAS ISSUED A DECISION AUTHORIZING THE PERSON TO BE EMPLOYED IN THOSE AREAS, TO PROVIDE THAT A PERSON AGAINST WHOM AN ALLEGATION OF MISCONDUCT HAS BEEN RECEIVED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY SHALL BE NOTIFIED BY CERTIFIED MAIL OF THE ALLEGATION OF MISCONDUCT AND HIS RIGHT TO A CONTESTED CASE HEARING, TO PROVIDE THAT A PERSON AGAINST WHOM AN ALLEGATION OF MISCONDUCT HAS BEEN RECEIVED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY MUST REQUEST A CONTESTED CASE HEARING WITHIN SIXTY DAYS AFTER RECEIPT OF THE ALLEGATION OF MISCONDUCT AND RIGHT TO A CONTESTED CASE HEARING, AND TO PROVIDE FOR THE PROCEDURES OF A CONTESTED CASE HEARING.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

CARRIED OVER

H. 3139 -- Reps. Stavrinakis and McCoy: A BILL TO AMEND SECTIONS 61-4-515 AND 61-6-2016, CODE OF LAWS OF SOUTH CAROLINA, 1976, 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 OR TENNIS SPECIFIC COMPLEX,

THURSDAY, APRIL 26, 2018

SO AS TO INCLUDE BASEBALL COMPLEX, AND TO PROVIDE A DEFINITION FOR "BASEBALL COMPLEX".

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD3139.007), which was withdrawn:

Amend the bill, as and if amended, by inserting an appropriately numbered section after SECTION 3 and inserting therein the following:

/ SECTION __. Section 15-78-120(a) of the 1976 Code is amended to read:

“(a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding ~~three~~ five hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed ~~six hundred thousand~~ one million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding one million two hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed one million two hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received

THURSDAY, APRIL 26, 2018

from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.”/

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Point of Order

Senator SENN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

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

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 “RESTORATIVE JUVENILE PRACTICES AND APPROACHES ACT” BY CREATING THE “JUVENILE RESTORATIVE PRACTICES STUDY COMMITTEE” TO REVIEW JUVENILE JUSTICE LAWS AND MAKE RECOMMENDATIONS CONCERNING RELATED REFORMS; AND TO PROVIDE FOR THE COMPOSITION, DUTIES, STAFFING, AND DISSOLUTION OF THE COMMITTEE.

On motion of Senator SHEHEEN the Bill was carried over.

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

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

S. 773 -- Senator Rice: A BILL TO AMEND SECTION 56-5-750, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF FAILURE TO STOP A MOTOR VEHICLE WHEN SIGNALLED BY A LAW ENFORCEMENT VEHICLE, SO AS

THURSDAY, APRIL 26, 2018

TO INCREASE THE PENALTIES FOR VIOLATIONS OF THIS PROVISION.

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

H. 4529 -- Rep. G.M. Smith: A BILL TO AMEND SECTION 40-33-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE NURSE PRACTICE ACT, SO AS TO PROVIDE CERTAIN BOARD OF NURSING LICENSEES MAY PERFORM DELEGATED MEDICAL ACTS BY MEANS OF TELEMEDICINE AND TO DEFINE "TELEMEDICINE"; TO AMEND SECTION 40-33-34, RELATING TO THE PERFORMANCE OF DELEGATED MEDICAL ACTS BY CERTAIN BOARD OF NURSING LICENSEES, SO AS TO PROVIDE REQUIREMENTS CONCERNING THE PRACTICE OF TELEMEDICINE BY ADVANCED PRACTICE REGISTERED NURSES; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS IN THE PRACTICE ACT FOR PHYSICIANS AND CERTAIN OTHER MEDICAL PROFESSIONALS, SO AS TO PROVIDE CERTAIN DELEGATED MEDICAL ACTS MAY BE PERFORMED BY MEANS OF TELEMEDICINE; TO AMEND SECTION 40-47-935, RELATING TO ACTS PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE TELEMEDICINE; AND TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO THE SCOPE OF PRACTICE GUIDELINES FOR PHYSICIAN ASSISTANTS, SO AS TO INCLUDE TELEMEDICINE.

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

H. 5156 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO REGULATIONS FOR THE LICENSING OF CHILD CARE CENTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4747, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator YOUNG explained the amendment.

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

[SJ]

THURSDAY, APRIL 26, 2018

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3329 -- Reps. Fry, Clemmons, Crawford, Duckworth, Atwater, Cobb-Hunter, Elliott, B. Newton, Daning, Henegan, Toole, King and Yow: A BILL TO AMEND SECTION 16-3-2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR THE ARTICLE ON TRAFFICKING IN PERSONS, SO AS TO DELETE THE DEFINITION OF "TRAFFICKING IN PERSONS"; AND TO AMEND SECTION 16-3-2020, AS AMENDED, RELATING TO THE OFFENSE OF TRAFFICKING IN PERSONS, PENALTIES, AND DEFENSES, SO AS TO RESTRUCTURE THE OFFENSE AND PROVIDE A PENALTY WHEN THE VICTIM IS A MINOR UNDER THE AGE OF EIGHTEEN AND TO FURTHER ENSURE THE PROTECTION OF MINOR VICTIMS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD3329.003), which was withdrawn:

Amend the committee report, as and if amended, page [3329-2] by striking lines 20-28 and inserting:

/ ~~(F)~~(C) If the victim of an offense contained in this section is under the age of eighteen, ~~an additional term of fifteen years may be imposed in addition and must be consecutive to the penalty prescribed for a violation of this section~~ the person convicted under this section is guilty of a felony and, upon conviction, must be imprisoned not more than twenty years. For a second or subsequent offense, if the victim is under the age of eighteen, the person convicted under this section is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was withdrawn.

The Committee on Judiciary proposed the following amendment (JUD3329.002), which was adopted:

Amend the bill, as and if amended, by deleting lines beginning on page 3, line 17 and ending on page 4, line 11 and inserting:

[SJ]

THURSDAY, APRIL 26, 2018

/ “Section 16-3-2020. (A) A person is guilty of trafficking in persons if he: who

(1) recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, knowing that the victim will be subjected to, or for the purposes of, sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in this subsection, is guilty of trafficking in persons,

(2) aids, abets, or conspires with another person to violate the criminal provisions of this section, or

(3) knowingly gives, agrees to give, or offers to give anything of value so that any person may engage in commercial sexual activity with another person when he knows that the other person is a victim of trafficking in persons.

~~(B) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, for the purposes of sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in subsection (A), is guilty of trafficking in persons.~~

~~(C) For a first offense, the A person convicted of a violation of subsection (A) is guilty of a felony and, upon conviction;~~

~~(1) for a first offense, must be imprisoned not more than fifteen years.~~

~~(D)(2) For for a second offense, the person is guilty of a felony, and, upon conviction, must be imprisoned not more than thirty years.~~

~~(E)(3) For for a third or subsequent offense, the person is guilty of a felony, and, upon conviction, must be imprisoned not more than forty-five years.~~

~~(F)(C) If the victim of an offense contained in this section is under the age of eighteen, an additional term of fifteen years may be imposed in addition and must be consecutive to the penalty prescribed for a violation of this section the person convicted under this section is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years. For a second or subsequent offense, if the victim is under the age of eighteen, the person convicted under this section is guilty of a felony and, upon conviction, must be imprisoned not more than forty-five years.~~

~~(G) A person who aids, abets, or conspires with another person to violate the criminal provisions of this section must be punished in the same manner as provided for the principal offender and is considered a~~

THURSDAY, APRIL 26, 2018

~~trafficker. A person is considered a trafficker if he knowingly gives, agrees to give, or offers to give anything of value so that any person may engage in commercial sexual activity with another person when he knows that the other person is a victim of trafficking in persons. /~~

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, CARRIED OVER**

H. 4487 -- Reps. Henderson, Hewitt, Robinson-Simpson, Fry, West, Atwater, Erickson, Norrell, Weeks, Douglas, Ridgeway, Dillard, Huggins, W. Newton and Ott: A BILL TO AMEND SECTION 44-53-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHEDULING OF CONTROLLED SUBSTANCES, SO AS TO PROVIDE A PROCESS FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) TO SCHEDULE CERTAIN SUBSTANCES ON AN EMERGENCY BASIS; TO AMEND SECTION 44-53-280, RELATING TO REGISTRATIONS TO MANUFACTURE, DISTRIBUTE, OR DISPENSE CONTROLLED SUBSTANCES, SO AS TO ELIMINATE REGISTRATION RENEWAL GRACE PERIODS; TO AMEND SECTION 44-53-290, RELATING IN PART TO REGISTRATIONS ISSUED TO PRACTITIONERS TO DISPENSE NARCOTICS FOR MAINTENANCE OR DETOXIFICATION TREATMENTS AND TO NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO PRESCRIBE SCHEDULE V DRUGS, SO AS TO CHANGE CERTAIN REQUIREMENTS; TO AMEND SECTION 44-53-310, RELATING TO APPLICATIONS FOR REGISTRATIONS TO MANUFACTURE, DISTRIBUTE, OR DISPENSE CONTROLLED SUBSTANCES, SO AS TO ALLOW DHEC TO DENY AN APPLICATION FOR REGISTRATION FOR ANY CRIMINAL CONVICTION; TO AMEND SECTION 44-53-480, RELATING TO THE DEPARTMENT OF NARCOTICS AND DANGEROUS DRUGS WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED), SO AS TO ELIMINATE ENFORCEMENT OF

THURSDAY, APRIL 26, 2018

DRUG LAWS AS A FUNCTION OF DHEC; AND TO REPEAL SECTION 44-53-560 RELATING TO THE TRANSFER OF AGENTS FROM DHEC TO SLED.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (VR\4487C001.CC.VR18), which was adopted:

Amend the bill, as and if amended, SECTION 1.A., by striking lines 35-38, page 3, and inserting:

(E) Except as otherwise provided in subsection (B), The department's addition, deletion, or rescheduling of the department may add, delete, or reschedule a substance as a controlled substance is governed by this section and is not subject by promulafating a regulation pursuant to the promulgation requirements of Title 1, Chapter 23, Title 1."

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (VR\4487C002.CC.VR18):

Amend the bill, as and if amended, by striking SECTIONS 1.A. and 1.B. and inserting:

/ SECTION 1. Section 44-53-160 of the 1976 Code is amended to read:

“Section 44-53-160. (A)(1) Annually, within thirty days after the convening of each regular session of the General Assembly, the department shall recommend to the General Assembly any additions, deletions, or revisions in the schedules of controlled substances enumerated in Sections 44-53-190, 44-53-210, 44-53-230, 44-53-250, and 44-53-270 which the department deems necessary. Except as otherwise provided in this section, the department shall not make any additions, deletions, or revisions in the schedules until after notice and an opportunity for a hearing is afforded to all interested parties. In making a recommendation to the General Assembly regarding a substance, the department shall consider the following:

- (a) the actual or relative potential for abuse;

THURSDAY, APRIL 26, 2018

- (b) the scientific evidence of the substance's pharmacological effect, if known;
- (c) the state of current scientific knowledge regarding the substance;
- (d) the history and current pattern of abuse;
- (e) the scope, duration, and significance of abuse;
- (f) the risk to public health;
- (g) the potential of the substance to produce psychic or physiological dependence liability;
- (h) whether the substance is an immediate precursor of a substance already controlled pursuant to this chapter; and
- (i) whether the substance has an accepted or recognized medical use.

(2) After considering the factors listed in subsection (A)(1), the department shall make a recommendation to the General Assembly specifying to what schedule the substance should be added, deleted, or rescheduled, if the department finds that the substance has a potential for abuse.

(B) Except as otherwise provided in this section, during the time the General Assembly is not in session, the department may add, delete, or reschedule a substance as a controlled substance after providing notice and a hearing to all interested parties. The addition, deletion, or rescheduling of a substance pursuant to this subsection has the full force of law unless overturned by the General Assembly. Upon the addition, deletion, or rescheduling of a substance, the department shall forward copies of the change to the Chairmen of the Medical Affairs Committee and the Judiciary Committee of the Senate, the Medical, Military, Public and Municipal Affairs Committee, and the Judiciary Committee of the House of Representatives, and to the Clerks of the Senate and House, and shall post the schedules on the department's website indicating the change and specifying the effective date of the change.

(C) If a substance is added, deleted, or rescheduled as a controlled substance pursuant to federal law or regulation, the department shall, at the first regular or special meeting of the South Carolina Board of Health and Environmental Control within thirty days after publication in the federal register of the final order designating the substance as a controlled substance or rescheduling or deleting the substance, add, delete, or reschedule the substance in the appropriate schedule. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection has the full force of law unless overturned by the General Assembly. The addition, deletion, or rescheduling of a

THURSDAY, APRIL 26, 2018

substance by the department pursuant to this subsection must be in substance identical with the order published in the federal register effecting the change in federal status of the substance. Upon the addition, deletion, or rescheduling of a substance, the department shall forward copies of the change to the Chairmen of the Medical Affairs Committee and the Judiciary Committee of the Senate, the Chairman of the Medical, Military, Public and Municipal Affairs Committee, ~~and~~ the Chairman of the Judiciary Committee of the House of Representatives, ~~and to the Clerks of the Senate and House, and the Code Commissioner~~, and shall post the schedules on the department's website indicating the change and specifying the effective date of the change.

(C) The department shall exclude any nonnarcotic substance from a schedule if the substance may, under the federal Food, Drug, and Cosmetic Act and the laws of this State, be lawfully sold over the counter without a prescription.

(D) The department's addition, deletion, or rescheduling of a substance as a controlled substance is governed by this section and is not subject to the promulgation requirements of ~~Title 1, Chapter 23, Title 1.~~"/

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

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

OBJECTION

S. 431 -- Senators Senn, Campsen and Climer: 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

[SJ]

THURSDAY, APRIL 26, 2018

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.

Senator MALLOY objected to the consideration of the Bill.

S. 982 -- Senator Hutto: A BILL AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVER'S LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND

[SJ]

THURSDAY, APRIL 26, 2018

SECTION 56-5-2941, AS AMENDED, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF LESS THAN FIFTEEN ONE HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PARDON AND PAROLE; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Senator MALLOY objected to the consideration of the Bill.

H. 4486 -- Reps. Henderson, Elliott, W. Newton, Govan, Erickson and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "RECOGNITION OF EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT ACT" BY ADDING ARTICLE 7 TO CHAPTER 61, TITLE 44 SO AS TO AUTHORIZE THE STATE OF SOUTH CAROLINA TO JOIN THE RECOGNITION OF EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT IN ORDER TO FACILITATE THE DAY-TO-DAY MOVEMENT OF EMERGENCY MEDICAL SERVICES (EMS) PERSONNEL ACROSS STATE BOUNDARIES IN THE PERFORMANCE OF THEIR ASSIGNED EMS DUTIES AND TO AFFORD IMMEDIATE LEGAL RECOGNITION TO EMS

[SJ]

THURSDAY, APRIL 26, 2018

PERSONNEL IN A MEMBER STATE; TO ESTABLISH CERTAIN EMS LICENSURE REQUIREMENTS UNDER THE COMPACT; TO PROVIDE FOR THE PRIVILEGE OF EMS PERSONNEL TO PRACTICE IN ANOTHER MEMBER STATE AND IN REMOTE STATES, WITH EXCEPTIONS, AND TO ESTABLISH CERTAIN LIMITATIONS ON THE APPLICATION OF THE COMPACT DURING A STATE OF EMERGENCY; TO PROVIDE CERTAIN LIMITATIONS ON THE PRIVILEGE TO PRACTICE UNDER THE COMPACT WHEN AN INDIVIDUAL'S LICENSE IS SUSPENDED OR OTHERWISE RESTRICTED AND TO ENABLE A MEMBER STATE TO TAKE ADVERSE ACTIONS AGAINST AN INDIVIDUAL'S LICENSE IN CERTAIN CIRCUMSTANCES; TO GRANT CERTAIN POWERS TO THE STATE'S EMS AUTHORITY; TO ESTABLISH THE INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND AUTHORITY; TO PROVIDE FOR ENFORCEMENT OF THE COMPACT BY MEMBER STATES AND FOR DISPUTE RESOLUTION; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-61-20, RELATING TO TERMS DEFINED IN THE "EMERGENCY MEDICAL SERVICES ACT OF SOUTH CAROLINA", SO AS TO CHANGE THE DEFINITION OF "INVESTIGATIVE REVIEW COMMITTEE".

Senator CORBIN objected to the consideration of the Bill.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator CAMPSER rose for an Expression of Personal Interest.

ADOPTED

H. 5261 -- Reps. Martin, Alexander, Allison, 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,

[SJ]

THURSDAY, APRIL 26, 2018

Lowe, Lucas, Mace, Mack, Magnuson, 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, Stavrinnakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO DECLARE MAY 2018 “ELECTRICAL SAFETY MONTH” IN SOUTH CAROLINA AND TO ENCOURAGE ALL CITIZENS TO ESTABLISH AND PRACTICE ELECTRICAL SAFETY HABITS IN THE HOME, SCHOOL, AND WORKPLACE TO REDUCE THE NUMBER OF ELECTRICALLY RELATED FIRES, INJURIES, AND DEATHS.

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. 3548 -- Reps. Bennett, Delleney, Yow, Stringer, Hardee, Erickson, Long, Fry, Daning, S. Rivers, Davis, Allison, Hill, Crosby, B. Newton, McCoy, West, McCravy, Tallon, Elliott, Henderson, V.S. Moss, G.R. Smith, Pope, Toole, Huggins, Hamilton, Bedingfield, Atwater, Ballentine, Willis, Simrill and Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA UNBORN CHILD PROTECTION FROM DISMEMBERMENT ABORTION ACT” BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO PROHIBIT DISMEMBERMENT ABORTIONS, WITH EXCEPTIONS, AND TO DEFINE RELEVANT TERMS; TO PROVIDE FOR INJUNCTIVE RELIEF AND CIVIL REMEDIES TO ENFORCE THE PROVISIONS OF THE ARTICLE; TO CREATE CRIMINAL PENALTIES; AND FOR OTHER PURPOSES.

Senator MASSEY moved that the Bill be made a Special Order.

The motion to make the Bill a Special Order was polled out of the Committee on Rules, as follows:

Polled 17; Ayes 9; Nays 7; Not Voting 1:

THURSDAY, APRIL 26, 2018

AYES

Massey	Cromer	Martin
Gregory	Campsen	Corbin
Young	Grooms	Hembree

Total--9

NAYS

Reese	Malloy	Scott
Allen	Kimpson	Sabb
Nicholson		

Total--7

NOT VOTING

Leatherman

Total--1

The question then was the motion to set the Bill for Special Order.

Senator GROOMS argued in favor of the motion.

Senator HUTTO argued in opposition of the motion.

With unanimous consent, Senator M.B. MATTHEWS argued in opposition of the motion.

The Bill was made a Special Order.

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

CARRIED OVER

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

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

THURSDAY, APRIL 26, 2018

MOTION ADOPTED

At 1:25 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.

ADJOURNMENT

At 1:26 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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THURSDAY, APRIL 26, 2018

SENATE JOURNAL INDEX

S. 92.....	34	H. 4182.....	5
S. 431.....	47	H. 4458.....	36
S. 759.....	40	H. 4479.....	37
S. 773.....	40	H. 4486.....	49
S. 918.....	13	H. 4487.....	44
S. 954.....	14	H. 4488.....	16
S. 982.....	48	H. 4529.....	41
S. 1043.....	22	H. 4592.....	17
S. 1047.....	20	H. 4600.....	17
S. 1190.....	29	H. 4644.....	17
S. 1200.....	3	H. 4672.....	20
S. 1201.....	3	H. 4673.....	26
		H. 4705.....	25
H. 3055.....	40	H. 4715.....	6
H. 3068.....	4	H. 4810.....	8
H. 3138.....	35	H. 4875.....	8
H. 3139.....	38	H. 4931.....	8
H. 3177.....	18	H. 4935.....	18
H. 3329.....	42	H. 4946.....	19
H. 3548.....	51	H. 4989.....	2
H. 3549.....	36	H. 5038.....	19
H. 3699.....	15	H. 5042.....	9
H. 3820.....	4	H. 5063.....	9
H. 3826.....	19	H. 5152.....	9
H. 3867.....	52	H. 5153.....	28
H. 3895.....	30	H. 5156.....	41
H. 3896.....	4	H. 5261.....	50
H. 4009.....	24	H. 5270.....	3
H. 4116.....	16	H. 5272.....	21
H. 4117.....	19		