

NO. 44

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

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THURSDAY, MARCH 21, 2019  
(STATEWIDE SESSION)

**Thursday, March 21, 2019**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Daniel 6:26: “For He is the living God, enduring forever. His Kingdom shall never be destroyed and His dominion has no end.”

Let us pray. Almighty God, fill us with faith to trust in You when we are facing the many trials we encounter in life. Fill us with the spirit of doing work expected of us from the people we serve. Encourage these Representatives and staff to do what You desire. Bless our defenders of freedom and first responders as they care for us. Make Your face shine upon our Nation, President, State, Governor, Speaker, staff, and all who gather here to do the work of the people. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. GAGNON moved that when the House adjourns, it adjourn in memory of Gus Wilson, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Representative Thayer and her family.

**SILENT PRAYER**

The House stood in silent prayer for Representative Bales.

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**HOUSE RESOLUTION**

The following was introduced:

H. 4284 -- Rep. Allison: A HOUSE RESOLUTION TO HONOR AND RECOGNIZE STEPHEN MICHAEL CASTON ON THE OCCASION OF HIS RETIREMENT FROM SJWD WATER DISTRICT AFTER TWENTY-EIGHT YEARS OF DEDICATED SERVICE AND TO WISH HIM MANY HAPPY YEARS IN RETIREMENT.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4285 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE FORTY-ONE SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2019 ACADEMIC ALL-STATE TEAM BY THE PHI THETA KAPPA HONOR SOCIETY IN RECOGNITION OF THEIR SCHOLARLY ACCOMPLISHMENTS AND SERVICE TO THEIR COMMUNITIES.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

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**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 661 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON WATEREE ROAD WHERE IT CROSSES THE WATEREE CREEK "JERRY NEALY BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 4286 -- Rep. D. C. Moss: A BILL TO AMEND SECTION 39-23-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR PRESCRIPTION DRUG LABELS, SO AS TO INCLUDE LOT NUMBERS.

Referred to Committee on Medical, Military, Public and Municipal Affairs

S. 11 -- Senators Peeler, Bennett, McElveen and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-30 SO AS TO PROVIDE THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INTENDS FOR DAYLIGHT SAVING TIME TO BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE SHOULD THE UNITED STATES CONGRESS AMEND CERTAIN RELATED FEDERAL LAW TO ALLOW STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR ROUND.

Referred to Committee on Judiciary

S. 206 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S

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MONITORING OF STATE BOARDS AND COMMISSIONS AND TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.

Referred to Committee on Judiciary

S. 252 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DESIGNATE THE MONTH OF JUNE OF EVERY YEAR AS "SALKEHATCHIE SUMMER SERVICE MONTH" IN SOUTH CAROLINA.

Referred to Committee on Education and Public Works

S. 259 -- Senators Goldfinch, Campsen, Kimpson, Senn and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.

Referred to Committee on Labor, Commerce and Industry

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO

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SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 486 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA REMOTE ONLINE NOTARIZATION ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE THE SECRETARY OF STATE BY RULE SHALL DEVELOP AND MAINTAIN STANDARDS FOR CREDENTIAL ANALYSIS AND IDENTITY PROOFING AND TO PROVIDE REQUIREMENTS FOR THE DEVELOPMENT OF THESE STANDARDS, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS REMOTE ONLINE NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED BY REMOTE ONLINE NOTARIES USING ELECTRONIC TECHNOLOGY, TO PROVIDE REQUIREMENTS FOR CONDUCTING ONLINE NOTARIAL ACTS, TO PROVIDE REMOTE ONLINE NOTARIES PUBLIC MAY CHARGE FEES FOR PERFORMING REMOTE ONLINE NOTARIAL ACTS, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE IMPROPER PERFORMANCE OF REMOTE ONLINE NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM REMOTE ONLINE NOTARIAL ACTS ARE THE SAME AS PROVIDED BY LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO SPECIFY CERTAIN RECORDING REQUIREMENTS THAT ARE CONSIDERED SATISFIED BY REMOTE NOTARIAL ACTS, AND TO PROVIDE REMOTE ONLINE NOTARY PUBLIC APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.

Referred to Committee on Judiciary

[HJ]

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ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jordan	Kimmons
King	Kirby	Ligon
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
McKnight	Moore	Morgan
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
West	Wheeler	White

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Whitmire  
Willis

R. Williams  
Wooten

S. Williams  
Yow

**Total Present--117**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MURPHY a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. PARKS a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. YOUNG a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. THAYER a leave of absence for the day due to family medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BRAWLEY a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ERICKSON a leave of absence for the remainder of the day.

**DOCTOR OF THE DAY**

Announcement was made that Dr. John K. Corless of Charleston was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. ANDERSON presented to the House the Andrews High School Softball team, coaches, and other school officials.

**SPECIAL PRESENTATION**

Rep. MCCRAVY presented to the House the Nintey Six High School Marching Band, band directors, and other school officials.



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**SPECIAL PRESENTATION**

Rep. MCCRAVY presented to the House the Ninety Six High School Indoor Percussion Ensemble, band directors, and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSOR ADDED**

Bill Number: H. 3053  
Date: ADD:  
03/21/19 ROSE

**CO-SPONSOR ADDED**

Bill Number: H. 3915  
Date: ADD:  
03/21/19 CASKEY

**CO-SPONSOR ADDED**

Bill Number: H. 3967  
Date: ADD:  
03/21/19 CASKEY

**CO-SPONSORS ADDED**

Bill Number: H. 4044  
Date: ADD:  
03/21/19 B. COX, ELLIOTT, GAGNON, FELDER, BAILEY  
and HEWITT

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**CO-SPONSORS ADDED**

Bill Number: H. 4046  
Date: ADD:  
03/21/19 FELDER, B. COX, ELLIOTT, BAILEY and  
HEWITT

**CO-SPONSORS ADDED**

Bill Number: H. 4047  
Date: ADD:  
03/21/19 BAILEY, HEWITT, B. COX, ELLIOTT, FELDER  
and COGSWELL

**CO-SPONSOR ADDED**

Bill Number: H. 4210  
Date: ADD:  
03/21/19 HEWITT

**CO-SPONSORS ADDED**

Bill Number: H. 4243  
Date: ADD:  
03/21/19 JEFFERSON, R. WILLIAMS, CALHOON,  
MCKNIGHT, SPIRES, ELLIOTT, GILLIAM, WEST  
and ATKINSON

**CO-SPONSORS ADDED**

Bill Number: H. 4261  
Date: ADD:  
03/21/19 JEFFERSON and R. WILLIAMS

**CO-SPONSORS ADDED**

Bill Number: H. 4262  
Date: ADD:  
03/21/19 JEFFERSON and R. WILLIAMS

**CO-SPONSORS REMOVED**

Bill Number: H. 3020  
Date: REMOVE:  
03/21/19 WHEELER and THIGPEN

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**CO-SPONSOR REMOVED**

Bill Number: H. 3681  
Date: REMOVE:  
03/21/19 COGSWELL

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 160 -- Senators Allen, Davis, Turner, Rice, Talley, Gambrell and Nicholson: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.

**H. 3986--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3986 -- Reps. G. M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

Rep. G.M. SMITH proposed the following Amendment No. 1 to H. 3986 (COUNCIL\SA\3986C001.RT.SA19), which was adopted:

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

/ SECTION 1. Article 3, Chapter 5, Title 11 of the 1976 Code is amended to read:

“Article 3  
Palmetto ABLE Savings Program

[HJ]

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Section 11-5-400. There is established the ‘~~South Carolina~~ Palmetto ABLER Savings Program’. The purpose of the ~~South Carolina~~ Palmetto ABLER Savings Program is to authorize the establishment of savings accounts empowering individuals with a disability and their families to save private funds which can be used to provide for disability related expenses in a way that supplements, but does not supplant, benefits provided through private insurance, the Medicaid program under Title XIX of the Social Security Act, the supplemental security income program under Title XVI of the Social Security Act, the beneficiary’s employment, and other sources; and to provide guidelines for the maintenance of these accounts.

Section 11-5-410. As used in this article:

(1) ‘Palmetto ABLER savings account’ or ‘account’ means an individual savings account established in accordance with the provisions of this article and pursuant to Section 529A of the federal Internal Revenue Code of 1986, as amended.

(2) ‘Account owner’ means the person who enters into ~~an~~ a Palmetto ABLER savings account agreement pursuant to the provisions of this article. The account owner also must be the designated beneficiary; however, a trustee, guardian, or conservator may be appointed as an account owner for a designated beneficiary who is a minor or lacks capacity to enter into an agreement. Also, the agent of the designated beneficiary acting under durable power of attorney may open and manage an account on behalf of and in the name of a designated beneficiary who lacks capacity.

(3) ‘Designated beneficiary’ means an eligible individual whose qualified disability expenses may be paid from the account. The designated beneficiary must be an eligible individual at the time the account is established. The account owner may change the designated beneficiary so long as the new beneficiary is an eligible individual who is a qualified member of the family of the designated beneficiary at the time of the change.

(4) ‘Eligible individual’, as defined in Section 529A(e)(1) of the federal Internal Revenue Code of 1986, as amended, means:

(a) an individual who is entitled to benefits based on blindness or disability pursuant to 42 U.S.C. Section 401, et seq. or 42 U.S.C. Section 1381, as amended, and the blindness or disability occurred before the date on which the individual attained age twenty-six; or

(b) an individual with respect to which a disability certification, as defined in Section 529A(e)(2) of the federal Internal

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Revenue Code of 1986, as amended, to the satisfaction of the Secretary of the United States Treasury is filed with the Secretary for a taxable year and the blindness or disability occurred before the date on which the individual attained age twenty-six.

(5) 'Financial organization' means an organization authorized to do business in this State and is:

- (a) licensed or chartered by the Director of Insurance;
- (b) licensed or chartered by the State Commissioner of Banking;
- (c) chartered by an agency of the federal government; or
- (d) subject to the jurisdiction and regulation of the federal Securities and Exchange Commission.

(6) 'Management contract' means a contract executed by the State Treasurer and a program manager selected to act as a depository or manager of the program, or both.

(7) 'Member of the family' has the meaning defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(8) 'Nonqualified withdrawal' means a withdrawal from an account which is not:

- (a) a qualified withdrawal; or
- (b) a rollover distribution.

(9) 'Program' means the ~~South Carolina~~ Palmetto ABLE Savings Program established pursuant to this article.

(10) 'Program manager' means a financial organization or an agency or department of another state that has been designated to administer a qualified ABLE ~~Savings~~ Program selected by the State Treasurer to act as a depository or manager of the program, or both.

(11) 'Qualified disability expense' means any qualified disability expense included in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(12) 'Qualified withdrawal' means a withdrawal from an account to pay the qualified disability expenses of the designated beneficiary of the account.

(13) 'Rollover distribution' means a rollover distribution as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(14) 'Savings agreement' means an agreement between the program manager or the State Treasurer and the account owner.

(15) 'Secretary' means the Secretary of the United States Treasury.

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Section 11-5-420. (A) The State Treasurer shall implement and administer the program under the terms and conditions established by this article. The State Treasurer has the authority and responsibility to:

(1) develop and implement the program in a manner consistent with the provisions of this article;

(2) engage the services of consultants on a contract basis for rendering professional and technical assistance and advice;

(3) seek rulings and other guidance from the Secretary and the federal Internal Revenue Service relating to the program;

(4) make changes to the program required for the participants in the program to obtain the federal income tax benefits or treatment provided by Section 529A of the federal Internal Revenue Code of 1986, as amended;

(5) charge, impose, and collect administrative fees and service charges in connection with any agreement, contract, or transaction relating to the program;

(6) develop marketing plans and promotional materials;

(7) establish the methods by which the funds held in accounts must be dispersed;

(8) establish the method by which funds must be allocated to pay for administrative costs;

(9) do all things necessary and proper to carry out the purposes of this article;

(10) adopt rules and promulgate regulations necessary to effectuate the provisions of this article;

(11) prepare an annual report of the Palmetto ABLE Savings Program to the Governor, the Senate, and the House of Representatives; and

(12) notify the Secretary when an account has been opened for a designated beneficiary and submit other reports concerning the program required by the Secretary.

(B) The State Treasurer may contract with other states in developing the program.

Section 11-5-430. (A) The State Treasurer may implement the program through use of program managers as account depositories or managers, or both. The State Treasurer may solicit proposals from program managers to act as depositories or managers of the program, or both. Program managers submitting proposals shall describe the investment instruments to be held in accounts. The State Treasurer may select more than one program manager and investment instrument for the program. The State Treasurer may select as program depositories or

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managers the program managers, from among the bidding program managers, that demonstrate the most advantageous combination, both to potential program participants and this State, of the following factors:

- (1) financial stability and integrity of the program manager;
- (2) the safety of the investment instrument being offered;
- (3) the ability of the program manager to satisfy recordkeeping and reporting requirements;
- (4) the program manager's plan for promoting the program and the investment the organization is willing to make to promote the program;
- (5) the fees, if any, proposed to be charged to the account owners;
- (6) the minimum initial deposit and minimum contributions that the financial organization requires;
- (7) the ability of the program manager to accept electronic withdrawals, including payroll deduction plans; and
- (8) other benefits to the State or its residents included in the proposal, including fees payable to the State to cover expenses of the operation of the program.

(B) The State Treasurer may enter into contracts with program managers necessary to effectuate the provisions of this article. A management contract must include, at a minimum, terms requiring the program managers to:

- (1) take action required to keep the program in compliance with requirements of this article and take actions not contrary to its contract to manage the program to qualify as a 'qualified ABLE Savings Program' as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended;
- (2) keep adequate records of each account, keep each account segregated, and provide the State Treasurer with the information necessary to prepare the statements required by Section 11-5-440;
- (3) compile and total information contained in statements required to be prepared under Section 11-5-440 and provide compilations to the State Treasurer;
- (4) if there is more than one program manager, provide the State Treasurer with information as is necessary to determine compliance with Section 11-5-440;
- (5) provide the State Treasurer with access to the books and records of the program manager to the extent needed to determine compliance with the contract, this article, and Section 529A of the federal Internal Revenue Code of 1986, as amended;

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(6) hold all accounts for the benefit of the account owner, owners, or the designated beneficiary;

(7) be audited at least annually by a firm of certified public accountants selected by the program manager, with the approval of the State Treasurer, and provide the results of the audit to the State Treasurer;

(8) provide the State Treasurer with copies of all regulatory filings and reports made by the program manager during the term of the management contract or while the program manager is holding any accounts, other than confidential filings or reports that are not part of the program. The program manager shall make available for review by the State Treasurer the results of the periodic examination of the manager by any state or federal banking, insurance, or securities commission, except to the extent that a report or reports may not be disclosed under law; and

(9) ensure that any description of the program, whether in writing or through the use of any media, is consistent with the marketing plan developed pursuant to the provisions of this article.

(C) The State Treasurer may:

(1) enter into contracts as he considers necessary and proper for the implementation of the program;

(2) require that an audit be conducted of the operations and financial position of the program depository and manager at any time if the State Treasurer has any reason to be concerned about the financial position, the recordkeeping practices, or the status of accounts of the program depository and manager; and

(3) terminate or not renew a management agreement. If the State Treasurer terminates or does not renew a management agreement, the State Treasurer shall take custody of accounts held by the program manager and shall seek to promptly transfer the accounts to another financial organization that is selected as a program manager or depository and into investment instruments as similar to the original instruments as possible.

(D) The State Treasurer, the Department of Social Services, the Department of Health and Human Services, and the Department of Disability and Special Needs are authorized to exchange data regarding eligible individuals to carry out the purposes of this article.

Section 11-5-440. (A) ~~An~~ A Palmetto ABLE ~~savings~~ Account established pursuant to the provisions of this article must be opened by a designated beneficiary, a designated beneficiary's agent under a durable power of attorney, a trustee holding funds for the benefit of a



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designated beneficiary, or a court appointed guardian or conservator of a designated beneficiary. Each designated beneficiary may have only one account. The State Treasurer may establish a nonrefundable application fee. An application for an account must be in the form prescribed by the State Treasurer and contain the following:

(1) name, address, and social security number of the account owner;

(2) name, address, and social security number of the designated beneficiary, if the account owner is the beneficiary's trustee or guardian;

(3) certification relating to no excess contributions; and

(4) additional information as the State Treasurer may require.

(B) A person may make contributions to ~~an~~ a Palmetto ABLE ~~savings~~ account after the account is opened, subject to the limitations imposed by Section 529A of the federal Internal Revenue Code of 1986, as amended, or any adopted rules and regulations promulgated by the State Treasurer pursuant to this article.

(C) Contributions to ~~an~~ a Palmetto ABLE ~~savings~~ account may be made only in cash. The State Treasurer or program manager shall reject or withdraw contributions promptly:

(1) in excess of the limits established pursuant to subsection (B); or

(2) the total contributions if the:

(a) value of the account is equal to or greater than the account maximum established by the State Treasurer. The account maximum must be equal to the account maximum for post secondary education savings accounts; or

(b) designated beneficiary is not an eligible individual in the current calendar year.

(D)(1) An account owner may:

(a) change the designated beneficiary of an account to an individual who is a qualified member of the family of the prior designated beneficiary in accordance with procedures established by the State Treasurer; and

(b) transfer all or a portion of an account to another ABLE ~~savings~~ account, the designated beneficiary of which is a member of the family as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(2) An account owner may not use an interest in an account as security for a loan. A pledge of an interest in an account is of no effect.

(E)(1) If there is any distribution from an account to an individual or for the benefit of an individual during a calendar year, the distribution

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must be reported to the federal Internal Revenue Service and each account owner, the designated beneficiary, or the distributee to the extent required by state or federal law.

(2) A statement must be provided to each account owner annually and at other increments established by the State Treasurer in the program guidelines. The statement must contain the information the State Treasurer requires to be reported to the account owner.

(3) A statement and information relating to an account must be prepared and filed to the extent required by this article and other state or federal law.

(F)(1) The program shall provide separate accounting for each designated beneficiary. An annual fee may be imposed upon the account owner for the maintenance of an account.

(2) Funds held in ~~an a Palmetto~~ ABL ~~savings~~ account:

(a) are exempt from attachment, execution, or garnishment for claims of creditors of the contributor and the designated beneficiary;

(b) to the fullest extent permissible under state and federal law, will be disregarded for the purposes of determining a designated beneficiary's eligibility to receive, or the amount of, any public assistance available to the designated beneficiary, including Medicaid; and

(c) following the death of a designated beneficiary, may be subject to recovery by the South Carolina Department of Health and Human Services up to an amount equal to the total of Medicaid benefits, if any, paid on behalf of the designated beneficiary by the state Medicaid program, but only to the extent recovery is required by state or federal law. Recovery by the State is subject to regulations imposed by the Secretary.

(3) The amount distributed from ~~an a Palmetto~~ ABL ~~savings~~ account for the purposes of paying qualified disability expenses:

(a) are exempt from attachment, execution, or garnishment for claims of creditors of the contributor and the designated beneficiary; and

(b) to the fullest extent permissible under state and federal law, will be disregarded for the purposes of determining a designated beneficiary's eligibility to receive, or the amount of, any public assistance available to the designated beneficiary, including Medicaid.

(G) To the extent earnings in an ABL ~~savings~~ account and distributions from an ABL ~~savings~~ account, or a qualified account under Section 529A located in another state, are not subject to federal income tax, they will not be subject to state income tax.

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Section 11-5-450. (A) Nothing in this article may create or be construed to create any obligation of the State Treasurer, the State, or any agency or instrumentality of the State to guarantee for the benefit of an account owner or designated beneficiary with respect to the:

- (1) return of principal;
- (2) rate of interest or other return on an account; or
- (3) payment of interest or other return on an account.

(B) The State Treasurer may adopt rules and promulgate regulations to provide that each contract, application, or other similar document that may be used in connection with opening an account clearly indicates that the account is not insured by the State and that the principal deposited and the investment return are not guaranteed by the State.

Section 11-5-460. (A) The ~~South Carolina~~ Palmetto ABLE Savings Program Trust Fund is established in the Office of the State Treasurer. The trust fund must be utilized if the State Treasurer elects to accept deposits from contributors rather than have deposits sent directly to the program manager. The trust fund must consist of any monies deposited by account owners and other contributors pursuant to the provisions of this article which are not deposited directly with the program manager. All interest derived from the deposit and investment of monies in the trust fund must be credited to the fund. At the end of each fiscal year, all unexpended and unencumbered monies in the trust fund must remain in the fund and not be credited or transferred to the state general fund or to another fund.

(B)(1) The ~~South Carolina~~ Palmetto ABLE Savings Expense Fund is established in the Office of the State Treasurer. The expense fund must consist of monies received from the Palmetto ABLE Savings Program manager or managers, governmental or private grants, and state general fund appropriations, if any, for the program.

(2) All expenses incurred by the State Treasurer in developing and administering the Palmetto ABLE Savings Program must be payable from the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund.”

SECTION 2. Section 12-6-1140(12)(b) of the 1976 Code is amended to read:

“(b) Any interest, dividends, gains, property, or income accruing on the payments made to an investment trust agreement pursuant to Article 3, Chapter 5, Title 11, or on any account in the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund or a qualified fund under Section 529A located in another state, must be excluded from the gross income of any such account owner, contributor, or beneficiary for purposes of

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South Carolina income taxes, to the extent the amounts remain on deposit in the ~~South Carolina~~ Palmetto ABLER Savings Expense Fund or are withdrawn pursuant to a qualified withdrawal.”

SECTION 3. The Code Commissioner is directed to change or correct all references to the “ABLE Savings Program” to the “Palmetto ABLER Savings Program.” References to the ABLER Savings Program in the 1976 Code or other provisions of law are considered to be and must be construed to mean the “Palmetto ABLER Savings Program.”

SECTION 4. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Rep. G. M. SMITH explained the amendment.  
The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	Johnson	Jordan

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Kimmons	King	Kirby
Ligon	Loftis	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCrary	McDaniel
McKnight	Moore	Morgan
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

**Total--113**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3986--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. G. M. SMITH, with unanimous consent, it was ordered that H. 3986 be read the third time tomorrow.

**H. 4243--POINT OF ORDER, RULE 5.10 WAIVED, AND  
DEBATE ADJOURNED**

The following Bill was taken up:

H. 4243 -- Reps. Simrill, Lucas, Pope, G. M. Smith, Rutherford, King, Felder, Bryant, D. C. Moss, B. Newton, Ligon, V. S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West and Atkinson: A BILL TO AMEND SECTION 12-6-

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3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

**POINT OF ORDER**

Rep. HILL made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

Rep. SIMRILL moved to waive Rule 5.10, pursuant to Rule 5.15.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bernstein
Blackwell	Burns	Calhoon
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Hardee	Hayes	Henderson-Myers

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Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	Johnson	Jordan
Kimmons	King	Kirby
Ligon	Loftis	Lowe
Lucas	Mack	Martin
McCoy	McCray	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Trantham	Weeks	West
Wheeler	Whitmire	R. Williams
S. Williams	Willis	Yow

**Total--99**

Those who voted in the negative are:

Hill	Magnuson	White
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**Total--3**

So, Rule 5.10 was waived pursuant to Rule 5.15.

Rep. SIMRILL explained the Bill.

Rep. SIMRILL moved to adjourn debate on the Bill until Tuesday, March 26, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

Rep. FORREST moved that the House recur to the morning hour, which was agreed to.

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**COMMUNICATION**

The following was received:

March 12, 2019  
Speaker James H. "Jay" Lucas  
South Carolina House of Representatives  
506 Blatt Building  
1105 Pendleton Street  
Columbia, South Carolina 29201

Dear Mr. Speaker:

I have served the South Carolina House of Representatives as Clerk since 2004 and it is with much feeling that I tenure my resignation effective midnight March 31, 2019. This decision was one of the most difficult for me. I have been blessed to work for the House in so many capacities over the years, and have had the opportunity to work and grow with so many highly skilled members of this great staff.

It is a pleasure and a privilege to have shared and made so many friends along the way and am thankful for all of the support and kindness from this fine group of folks. It is an honor and I am proud to have served the constituency of this great State as part of the General Assembly.

Thank you for all that you do. God bless.

Sincerely,  
Charles F. Reid  
Clerk of the House

**ELECTION OF THE CLERK**

The SPEAKER announced that nominations were in order for the Clerk of the House.

Rep. SIMRILL nominated MR. PATRICK G. DENNIS of Columbia.

On the motion of Rep. SIMRILL, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.



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**HOUSE RESOLUTION**

The following was introduced:

H. 4288 -- Reps. B. Cox, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR REALOP INVESTMENTS OF GREENVILLE FOR ITS OUTSTANDING WORK IN DRIVING ECONOMIC DEVELOPMENT WITHIN SOUTH CAROLINA AND BEYOND AND TO CELEBRATE WITH THE REALOP FIRM UPON ITS TENTH ANNIVERSARY IN MARCH 2019.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4289 -- Rep. Anderson: A HOUSE RESOLUTION TO HONOR CHAPLAIN EFFSON CHESTER BRYANT OF THE COLUMBIA VA HEALTH CARE SYSTEM FOR HIS NEARLY SEVEN YEARS OF MINISTRY WITH THE VA, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 4290 -- Reps. Tallon, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR IRA S. "BUDDY" RAINWATER III OF FLORENCE FOR HIS DEDICATED MINISTRY TO HIS COMMUNITY AND THE CITIZENS OF FLORENCE COUNTY AND TO WISH HIM MUCH SUCCESS, HAPPINESS, AND GOD'S RICHEST BLESSINGS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4291 -- Reps. Martin, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King,

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Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANCE THAT MAMMOGRAPHY PROVIDES IN THE EARLY DETECTION OF BREAST CANCER AND TO DECLARE MONDAY, OCTOBER 7, 2019, "MAMMOGRAM AWARENESS DAY" IN SOUTH CAROLINA.

Whereas, a screening mammogram, an x-ray picture of the breast, can be used to check for breast cancer in women who have no signs or symptoms of the disease and usually involves two or more pictures, or images, of each breast, often making it possible to detect tumors that cannot be felt; and

Whereas, screening mammograms can also find microcalcifications, tiny deposits of calcium, that sometimes indicate the presence of breast cancer; and

Whereas, a diagnostic mammogram can be used to check for breast cancer after a lump or other sign or symptom of the disease has been found; and

Whereas, although other signs of breast cancer may be present, such signs may also be signs of benign conditions which a diagnostic mammogram could determine; and

Whereas, diagnostic mammograms can also be used to evaluate changes found during a screening mammogram or to view breast tissue when it is difficult to obtain a screening mammogram because of special circumstances; and

Whereas, in the United States, conventional mammography stored on film has been replaced with digital mammography stored in an electronic image as a computer file, which can be enhanced, magnified, or manipulated for further evaluation more easily than information stored

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on film and can be shared electronically between radiologists and breast surgeons for consultations; and

Whereas, a newer three-dimensional (3-D) mammography, also known as digital breast tomosynthesis (DBT), is a type of digital mammography in which x-ray machines are used to take pictures of thin “slices” of the breast from different angles, and computer software is used to reconstruct an image in a process similar to how a computed tomography (CT) scanner produces images of structures inside of the body; and

Whereas, early detection of breast cancer through screening mammography could result in the initiation of earlier treatment to fight the disease, possibly before it has spread; and

Whereas, results from some clinical trials and other studies show that screening mammography can help to reduce the number of deaths from breast cancer among women ages forty to seventy-four, especially for those over the age of fifty; and

Whereas, grateful for the many advances of modern medicine that help to prevent, detect, and cure many diseases, the South Carolina General Assembly encourages women across the Palmetto State to consult their physicians about their need for mammography and to be aware of the life-saving possibilities of timely screening. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the South Carolina General Assembly, by this resolution, recognize the importance that mammography provides in the early detection of breast cancer and declare Monday, October 7, 2019, “Mammogram Awareness Day” in South Carolina.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

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**CONCURRENT RESOLUTION**

The following was introduced:

H. 4292 -- Rep. Davis: A CONCURRENT RESOLUTION TO PROCLAIM APRIL 9, 2019, AS "STEM EDUCATION DAY" THROUGHOUT THE STATE AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO JOIN IN RECOGNIZING THE POSITIVE IMPACT THAT STEM EDUCATION HAS ON THE QUALITY OF LIFE FOR THE RESIDENTS OF THE PALMETTO STATE.

Whereas, the members of the South Carolina General Assembly recognize the importance of mastering the world-class knowledge that science, technology, engineering, and math (STEM) education provides for students of all South Carolina schools; and

Whereas, career opportunities in STEM fields, such as advanced manufacturing, computing, and engineering, continue to grow in South Carolina; and

Whereas, STEM learning, whether in school, afterschool, or in a wide variety of formal and informal learning settings, contributes to increased STEM knowledge and skills; and

Whereas, partnerships between education and industry are key to promoting, supporting, and improving STEM education in South Carolina; and

Whereas, STEM learning is enhanced by dedicated and well-prepared teachers, mentors, and volunteers; and

Whereas, the Palmetto State is committed to providing its next generation of leaders with a rigorous, well-rounded education; and

Whereas, it is important to recognize and promote success in both student and teacher accomplishments in STEM. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the South Carolina General Assembly, by this resolution, proclaim April 9, 2019, as "Stem Education Day" throughout the State and encourage all South Carolinians to join in recognizing the

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positive impact that STEM education has on the quality of life for the residents of the Palmetto State.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

H. 4287 -- Reps. Lucas, G. M. Smith, Simrill, Rutherford, McCoy and Ott: A JOINT RESOLUTION TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE TO RECEIVE AND APPROVE A CONTRACTUAL OFFER TO PURCHASE THE ASSETS AND ASSUME OR SATISFY THE LIABILITIES OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Referred to Committee on Ways and Means

H. 4293 -- Rep. Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-1-110 SO AS TO ESTABLISH THE SOUTH CAROLINA ELECTION SECURITY COUNCIL, AND TO PROVIDE FOR THE COUNCIL'S COMPOSITION, DUTIES, POWERS, AND RESPONSIBILITIES; BY ADDING SECTION 7-13-1625 SO AS TO PROVIDE THAT AFTER THE EFFECTIVE DATE OF THIS ACT, ALL VOTING SYSTEMS USED IN SOUTH CAROLINA SHALL UTILIZE A PAPER-BASED SYSTEM USING PAPER BALLOTS TABULATED BY OPTICAL SCANNERS AS THE BALLOT OF RECORD, AND TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE THE FUNDS NECESSARY TO PURCHASE THE VOTING SYSTEMS REQUIRED BY THIS SECTION; AND BY ADDING SECTION 7-13-1635 SO AS TO PROVIDE THAT BEGINNING

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WITH THE 2020 GENERAL ELECTION CYCLE, THE STATE ELECTION COMMISSION IN CONJUNCTION WITH THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, AS NECESSARY, SHALL CONDUCT POSTELECTION RISK-LIMITING AUDITS FOR ALL STATEWIDE PRIMARY, GENERAL, AND SPECIAL ELECTIONS, INCLUDING STATEWIDE RUNOFF ELECTIONS, TO DEFINE RELEVANT TERMS, AND TO AUTHORIZE THE STATE ELECTION COMMISSION TO PROMULGATE REGULATIONS REGARDING THE PROCEDURES AND USE OF RISK-LIMITING AUDITS.

Referred to Committee on Judiciary

H. 4294 -- Reps. Rivers, Erickson, W. Newton, S. Williams, Bradley and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-45-440 SO AS TO PROVIDE THAT A COUNTY MAY ADOPT ALTERNATIVE DATES FOR THE APPLICATION OF PENALTIES ON DELINQUENT TAXES, THE ISSUANCE OF THE COUNTY TREASURER'S EXECUTION TO THE OFFICER AUTHORIZED TO COLLECT DELINQUENT TAXES, ASSESSMENTS, PENALTIES, AND COSTS, AND THE MAILING OF THE NOTICE OF DELINQUENT TAXES.

Referred to Committee on Ways and Means

**H. 3449--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

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Rep. HIOTT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	Johnson
Jordan	Kimmons	King
Kirby	Ligon	Loftis
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Sandifer	Simmons	Simrill
G. M. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Trantham
Weeks	West	Wheeler



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Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--111**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 3595--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3595 -- Reps. Elliott, G. M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Rep. G. M. SMITH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 1

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brown	Bryant
Burns	Calhoon	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Felder	Finlay

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Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	Johnson	Jordan
Kimmons	King	Kirby
Ligon	Loftis	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCravy	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
B. Newton	W. Newton	Ott
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

**Total--107**

Those who voted in the negative are:

Hill

**Total--1**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

THURSDAY, MARCH 21, 2019

**H. 3355--MOTION TO RECONSIDER TABLED**

Rep. BLACKWELL moved to reconsider the vote whereby following Bill was committed to the House Judiciary Committee:

H. 3355 -- Reprs. Taylor, Allison, Elliott, Tallon, Cogswell, McCravy, V. S. Moss, Young, McGinnis, Stringer, Felder, Calhoon, Hardee, Govan, Hixon, W. Newton, Chellis, Toole, Funderburk, Blackwell and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "DRIVING UNDER THE INFLUENCE OF AN ELECTRONIC DEVICE OR DUI-E LAW", TO AMEND SECTION 56-5-3890, RELATING TO THE UNLAWFUL USE OF A WIRELESS COMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS, REVISE THE CIRCUMSTANCES WHEN IT IS UNLAWFUL TO USE A WIRELESS DEVICE, TO CREATE THE OFFENSE OF DRIVING WHILE USING AN ELECTRONIC DEVICE, TO MAKE TECHNICAL REVISIONS, AND TO PROVIDE THAT AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS, THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE PROVISIONS OF THIS ACT.

Rep. MCKNIGHT moved to table the motion to reconsider.

Rep. BLACKWELL demanded the yeas and nays which were taken, resulting as follows:

Yeas 76; Nays 34

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bernstein	Brown	Burns
Chumley	Clary	Clemmons
Cobb-Hunter	Collins	W. Cox
Crawford	Dillard	Finlay
Fry	Gagnon	Garvin
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hosey	Hyde
Johnson	Jordan	Kimmons
King	Kirby	Ligon

[HJ]

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Loftis	Long	Lowe
Mace	Mack	Magnuson
Martin	McCoy	McCray
McDaniel	McKnight	Moore
Morgan	D. C. Moss	W. Newton
Norrell	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simmons
Simrill	G. M. Smith	G. R. Smith
Spires	Stavrinakis	Tallon
Thigpen	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Yow		

**Total--76**

Those who voted in the negative are:

Allison	Bennett	Blackwell
Bradley	Bryant	Calhoon
Caskey	Chellis	Clyburn
Cogswell	B. Cox	Daning
Davis	Elliott	Forrest
Forrester	Funderburk	Gilliam
Govan	Hiott	Hixon
Huggins	Jefferson	Lucas
McGinnis	V. S. Moss	B. Newton
Ott	Pendarvis	Sottile
Stringer	Taylor	Trantham
Wooten		

**Total--34**

So, the motion to reconsider was tabled.

Rep. PENDARVIS moved that the House do now adjourn, which was agreed to.

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**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4255 -- Reps. Ridgeway, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE SCOTT'S BRANCH HIGH SCHOOL GIRLS BASKETBALL TEAM FOR CAPTURING THE 2019 CLASS A STATE CHAMPIONSHIP TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

**ADJOURNMENT**

At 11:58 a.m. the House, in accordance with the motion of Rep. GAGNON, adjourned in memory of Gus Wilson, to meet at 10:00 a.m. tomorrow.

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H. 3020 .....	9	H. 4286 .....	3
H. 3053 .....	8	H. 4287 .....	29
H. 3355 .....	34	H. 4288 .....	24
H. 3449 .....	30	H. 4289 .....	24
H. 3595 .....	32	H. 4290 .....	25
H. 3681 .....	10	H. 4291 .....	25
H. 3915 .....	8	H. 4292 .....	28
H. 3967 .....	8	H. 4293 .....	29
H. 3986 .....	10, 20	H. 4294 .....	30
H. 4044 .....	8		
H. 4046 .....	9	S. 11 .....	3
H. 4047 .....	9	S. 160 .....	10
H. 4210 .....	9	S. 206 .....	3
H. 4243 .....	9, 20	S. 252 .....	4
H. 4255 .....	36	S. 259 .....	4
H. 4261 .....	9	S. 475 .....	4
H. 4262 .....	9	S. 486 .....	5
H. 4284 .....	2	S. 661 .....	3
H. 4285 .....	2		