

NO. 30

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

WEDNESDAY, MARCH 4, 2020
(STATEWIDE SESSION)

Wednesday, March 4, 2020
(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 Hebrews 3:4: "The builder of all things is God."

Let us pray. We are confident that You are able to accomplish more than we even dare to ask. We bring these prayers before You, believing in Your saving grace that is revealed to us. Guide these Representatives and staff to do the good work for the people they serve. Bless them as they go about their duties here and in their districts. Look in favor upon our defenders of freedom and first responders as they care for and protect us. Bless our Nation, President, State, Governor, Speaker, staff, and all who contribute to this great cause. 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. HERBKERSMAN moved that when the House adjourns, it adjourn in memory of William G. Roe, which was agreed to.

INTRODUCTION OF BILL

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 5339 -- Rep. Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "CANCER PREVENTION ACT" BY ADDING SECTION 44-55-130 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE

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REGULATIONS TO ESTABLISH MAXIMUM CONTAMINANT LEVELS FOR CERTAIN POLLUTANTS IN PUBLIC WATER SYSTEMS.

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

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	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
Matthews	McCrary	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Oremus	Ott
Parks	Pendarvis	Pope

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Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Toole	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total Present--121

LEAVE OF ABSENCE

The SPEAKER granted Rep. COGSWELL a leave of absence for the day due to a prior commitment.

STATEMENT OF ATTENDANCE

Rep. HILL signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, March 3.

DOCTOR OF THE DAY

Announcement was made that Dr. Bryan T. Green of Greenwood was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Rep. FORREST presented to the House the students and officials of the South Carolina School for the Deaf and Blind.

SPECIAL PRESENTATION

Reps. BALLENTINE and HUGGINS presented to the House the Chapin High School Competitive Cheer Team, coaches, and other school officials.

CO-SPONSORS ADDED

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

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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. 3106
Date: ADD:
03/04/20 RIDGEWAY

CO-SPONSOR ADDED

Bill Number: H. 3355
Date: ADD:
03/04/20 RIDGEWAY

CO-SPONSOR ADDED

Bill Number: H. 3373
Date: ADD:
03/04/20 RIDGEWAY

CO-SPONSOR ADDED

Bill Number: H. 3681
Date: ADD:
03/04/20 OREMUS

CO-SPONSORS ADDED

Bill Number: H. 4454
Date: ADD:
03/04/20 B. NEWTON, RIDGEWAY and MARTIN

CO-SPONSORS ADDED

Bill Number: H. 4696
Date: ADD:
03/04/20 BRAWLEY and HOWARD

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CO-SPONSOR ADDED

Bill Number: H. 4777
Date: ADD:
03/04/20 RIDGEWAY

CO-SPONSOR ADDED

Bill Number: H. 4785
Date: ADD:
03/04/20 RIDGEWAY

CO-SPONSOR ADDED

Bill Number: H. 4788
Date: ADD:
03/04/20 RIDGEWAY

CO-SPONSOR ADDED

Bill Number: H. 4796
Date: ADD:
03/04/20 RIDGEWAY

CO-SPONSORS ADDED

Bill Number: H. 4835
Date: ADD:
03/04/20 B. NEWTON, FRY and CLEMMONS

CO-SPONSORS ADDED

Bill Number: H. 4937
Date: ADD:
03/04/20 CLEMMONS and B. NEWTON

CO-SPONSOR ADDED

Bill Number: H. 5125
Date: ADD:
03/04/20 HENEGAN

CO-SPONSORS ADDED

Bill Number: H. 5137
Date: ADD:
03/04/20 KING and COLLINS

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CO-SPONSOR ADDED

Bill Number: H. 5306
Date: ADD:
03/04/20 OTT

LEAVE OF ABSENCE

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

SENT TO THE SENATE

The following Bills and Joint Resolution were taken up, read the third time, and ordered sent to the Senate:

H. 4663 -- Reps. Finlay and Wheeler: A BILL TO AMEND SECTION 40-43-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROTOCOL FOR PHARMACISTS TO ADMINISTER INFLUENZA VACCINES WITHOUT THE ORDER OF A PRACTITIONER, SO AS TO PROVIDE PHARMACISTS MAY ADMINISTER INFLUENZA VACCINES TO PERSONS OF ANY AGE WITHOUT THE ORDER OF A PRACTITIONER PURSUANT TO PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS.

H. 4669 -- Reps. King, Henegan, Cobb-Hunter, McDaniel and S. Williams: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

H. 4724 -- Reps. Gilliard, Clyburn, Hosey, Jefferson, R. Williams and King: A JOINT RESOLUTION TO ESTABLISH A COMMITTEE TO STUDY VETERAN HOMELESSNESS, UNEMPLOYMENT, JOB PLACEMENT, INCIDENCE OF POST-TRAUMATIC STRESS DISORDER, ACCESS TO BASIC HUMAN SERVICES, AND OTHER ISSUES AFFECTING SOUTH CAROLINA VETERANS AND TO PROVIDE FOR RELATED MATTERS INCLUDING, BUT

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NOT LIMITED TO, COMMITTEE MEMBERSHIP AND DUTIES, THE FILLING OF VACANCIES, COMMITTEE MEETINGS, AND STAFFING.

H. 4938 -- Rep. Ridgeway: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO ELECTRONIC PRESCRIPTIONS, SO AS TO ADD CERTAIN EXCEPTIONS TO ELECTRONIC PRESCRIBING REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

H. 4776 -- Reps. Tallon, Allison, Hyde, Taylor, Brawley, McCravy, Toole and Clary: A BILL TO AMEND SECTION 58-3-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON FORMER PUBLIC SERVICE COMMISSION MEMBERS BEING EMPLOYED BY PUBLIC UTILITIES, SO AS TO INCREASE THE RESTRICTION PERIOD FROM ONE YEAR TO THREE YEARS.

H. 4694 -- Reps. Allison, Clyburn and Hosey: A BILL TO AMEND SECTION 59-67-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL PASSING OF A SCHOOL BUS BY ANOTHER SCHOOL BUS, SO AS TO PROVIDE THAT A SCHOOL BUS MAY LAWFULLY PASS ANOTHER SCHOOL BUS ON A MULTILANE HIGHWAY; AND TO REPEAL SECTION 59-67-515 RELATING TO SPEED LIMITS FOR PUBLIC SCHOOL BUSES.

H. 4800 -- Reps. Collins, Bernstein and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

H. 4078 -- Reps. Tallon, Hixon, Johnson, W. Newton, Pope, Hardee, Hyde, Bailey, Hewitt and R. Williams: A BILL TO AMEND SECTION 2-1-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT CERTAIN REPORTS SUBMITTED TO THE GENERAL ASSEMBLY MUST BE ELECTRONICALLY TRANSMITTED, SO AS TO EXTEND THE

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REQUIREMENT TO REPORTS SUBMITTED TO A STANDING COMMITTEE OR ANY OTHER COMMITTEE CREATED BY THE GENERAL ASSEMBLY.

H. 4937--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4937 -- Reps. Fry, Rose, Hewitt, Kirby, Clary, W. Newton, Erickson, Clemmons and B. Newton: A BILL TO AMEND SECTION 33-57-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONS TO THE PROHIBITION ON LOTTERIES AND RAFFLES, SO AS TO CLARIFY THAT ELECTRONIC GAMING DEVICES ARE PROHIBITED; TO AMEND SECTION 33-57-110, RELATING TO DEFINITIONS, SO AS TO EXPAND THE DEFINITION OF A "NONPROFIT ORGANIZATION" TO INCLUDE AN ORGANIZATION RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) AND TO DEFINE THE TERM "ELECTRONIC GAMING DEVICE"; TO AMEND SECTION 33-57-120, AS AMENDED, RELATING TO RAFFLES CONDUCTED BY NONPROFIT ORGANIZATIONS, SO AS TO AUTHORIZE NONPROFIT ORGANIZATIONS RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) TO CONDUCT A RAFFLE AND TO REMOVE THE PROHIBITION ON THE USE OF FUNDS RAISED BY THE RAFFLE TO PURCHASE ATHLETIC EQUIPMENT; TO AMEND SECTION 33-57-140, AS AMENDED, RELATING TO STANDARDS FOR RAFFLES, SO AS TO INCREASE THE FAIR MARKET VALUE OF INDIVIDUAL PRIZE AND TOTAL PRIZE LIMITS; TO AMEND SECTION 33-57-150, RELATING TO ALLOWABLE EXPENSES AND RECORDS FOR A RAFFLE, SO AS TO PROVIDE WHAT MUST BE CONTAINED IN THE REPORT TO THE SECRETARY, TO ALLOW FOR THE SUBMISSION OF ONE REPORT FOR A NONPROFIT ORGANIZATION WITH AFFILIATES OR SUBSIDIARIES UNDER CERTAIN CIRCUMSTANCES, AND TO ESTABLISH CERTAIN RECORD KEEPING REQUIREMENTS; AND TO REPEAL SECTION 33-57-200 RELATING TO THE REPEAL OF CHAPTER 57, TITLE 33.

[HJ]

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The Committee on Judiciary proposed the following Amendment No. 1 to H. 4937 (COUNCIL\CZ\4937C002.DF.CZ20), which was adopted:

Amend the bill, as and if amended, by striking SECTIONS 1, 2, and 3 and inserting:

/ SECTION 1. Section 33-57-120(A)(2) of the 1976 Code is amended to read:

“(2) is organized and operated for religious, charitable, scientific, literary, or educational purposes, or to foster national or international amateur sports competition ~~(but only if no part of its activities involve the provision of athletic facilities or equipment)~~, or for the prevention of cruelty to children or animals; and” /

Re-number sections to conform.

Amend title to conform.

Rep. W. NEWTON 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 109; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bales	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon

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Hosey	Howard	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Mace	Magnuson	Martin
Matthews	McCrary	McGinnis
Moore	Morgan	D. C. Moss
Murphy	B. Newton	W. Newton
Norrell	Oremus	Ott
Parks	Pendarvis	Pope
Ridgeway	Robinson	Rose
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Thigpen
Toole	Weeks	West
Wheeler	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--109

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. 4710--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4710 -- Reps. Bernstein, Finlay, Clary, Collins, Wooten, G. R. Smith, Clyburn, Hosey and Rose: A BILL TO AMEND SECTIONS 16-17-500 AND 16-17-501, AS AMENDED, AND SECTIONS 16-17-502, 16-17-503, 16-17-504, AND 16-17-506, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 44-95-20, AS AMENDED, RELATING TO CERTAIN

[HJ]

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PUBLIC INDOOR AREAS WHERE SMOKING IS PROHIBITED IN SOUTH CAROLINA, SO AS TO APPLY ALSO TO THE USE OF VAPOR PRODUCTS; AND TO AMEND SECTION 59-1-380, RELATING TO THE MANDATORY PUBLIC SCHOOL COMPREHENSIVE TOBACCO-FREE CAMPUS POLICY, SO AS TO MAKE TECHNICAL CORRECTIONS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4710 (COUNCIL\VR\4710C001.CC.VR20), which was adopted:

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

/ SECTION 1.A. Sections 16-17-500 and 16-17-501 of the 1976 Code, as last amended by Act 25 of 2019, are further amended to read:

“Section 16-17-500. (A) It is unlawful for an individual to sell, furnish, give, distribute, purchase for, or provide a tobacco product ~~or an alternative nicotine product~~ to a minor under the age of eighteen years.

(B) It is unlawful to sell a tobacco product ~~or an alternative nicotine product~~ to an individual who does not present upon demand proper proof of age. Failure to demand identification to verify an individual’s age is not a defense to an action initiated pursuant to this subsection. Proof that is demanded, is shown, and reasonably is relied upon for the individual’s proof of age is a defense to an action initiated pursuant to this subsection.

(C) A person engaged in the sale of tobacco products ~~or alternative nicotine products~~ made through the Internet or other remote sales methods shall perform an age verification through an independent, third-party age verification service that compares information available from public records to the personal information entered by the individual during the ordering process that establishes the individual is eighteen years of age or older and shall use a method of mailing, shipping, or delivery that requires the signature of a person at least eighteen years of age before a tobacco product ~~or alternative nicotine product~~ will be released to the purchaser, unless the Internet or other remote sales methods employ the following protections to ensure age verification:

(1) the customer creates an online profile or account with personal information including, but not limited to, name, address, social security information, and a valid phone number, and that personal information is verified through publicly available records; or

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(2) the customer is required to upload a copy of his ~~or her~~ government-issued identification in addition to a current photograph of the customer; and

(3) delivery is made to the customer's name and address.

(D) It is unlawful to sell a tobacco product ~~or an alternative nicotine product~~ through a vending machine unless the vending machine is located in an establishment:

(1) which is open only to individuals who are eighteen years of age or older; or

(2) where the vending machine is under continuous control by the owner or licensee of the premises, or an employee of the owner or licensee, can be operated only upon activation by the owner, licensee, or employee before each purchase, and is not accessible to the public when the establishment is closed.

(E)(1) An individual who knowingly violates a provision of subsections (A), (B), (C), (D), or (J) in person, by agent, or in any other way is guilty of a misdemeanor and, upon conviction, must be:

(a) for a first offense, fined not less than two hundred dollars and not more than three hundred dollars;

(b) for a second and subsequent offense, fined not less than four hundred dollars and not more than five hundred dollars, imprisoned for not more than thirty days, or both.

(2) In lieu of the fine, the court may require an individual to successfully complete a Department of Alcohol and Other Drug Abuse Services approved merchant tobacco enforcement education program.

(F)(1)(a) A minor under the age of eighteen years must not purchase, attempt to purchase, possess, or attempt to possess a tobacco product ~~or an alternative nicotine product~~, or present or offer proof of age that is false or fraudulent for the purpose of purchasing or possessing these products.

(b) A minor under the age of eighteen years is prohibited from entering a retail establishment that has as its primary purpose the sale of tobacco products, ~~alternative nicotine products, or both~~, unless the minor is actively supervised and accompanied by an adult.

(c) The provisions of this subsection do not apply to a minor under the age of eighteen who is recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer of tobacco ~~or alternative nicotine~~ products. The testing must be conducted under the direct supervision of a law enforcement agency, and the law enforcement agency must have the minor's parental consent.

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(2) A minor who knowingly violates a provision of item (1) in person, by agent, or in any other way commits a noncriminal offense and is subject to a civil fine of twenty-five dollars. The civil fine is subject to all applicable court costs, assessments, and surcharges.

(3) In lieu of the civil fine, the court may require a minor to successfully complete a Department of Health and Environmental Control approved smoking cessation or tobacco prevention program, or to perform not more than five hours of community service for a charitable institution.

(4) If a minor fails to pay the civil fine, successfully complete a smoking cessation or tobacco prevention program, or perform the required hours of community service as ordered by the court, the court may restrict the minor's driving privileges to driving only to and from school, work, and church, or as the court considers appropriate for a period of ninety days beginning from the date provided by the court. If the minor does not have a driver's license or permit, the court may delay the issuance of the minor's driver's license or permit for a period of ninety days beginning from the date the minor applies for a driver's license or permit. Upon restricting or delaying the issuance of the minor's driver's license or permit, the court must complete and remit to the Department of Motor Vehicles any required forms or documentation. The minor is not required to submit his driver's license or permit to the court or the Department of Motor Vehicles. The Department of Motor Vehicles must clearly indicate on the minor's driving record that the restriction or delayed issuance of the minor's driver's license or permit is not a traffic violation or a driver's license suspension. The Department of Motor Vehicles must notify the minor's parent, guardian, or custodian of the restriction or delayed issuance of the minor's driver's license or permit. At the completion of the ninety-day period, the Department of Motor Vehicles must remove the restriction or allow for the issuance of the minor's license or permit. No record may be maintained by the Department of Motor Vehicles of the restriction or delayed issuance of the minor's driver's license or permit after the ninety-day period. The restriction or delayed issuance of the minor's driver's license or permit must not be considered by any insurance company for automobile insurance purposes or result in any automobile insurance penalty, including any penalty under the Merit Rating Plan promulgated by the Department of Insurance.

(5) A violation of this subsection is not a criminal or delinquent offense and no criminal or delinquent record may be maintained. A minor may not be detained, taken into custody, arrested, placed in jail or

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in any other secure facility, committed to the custody of the Department of Juvenile Justice, or found to be in contempt of court for a violation of this subsection or for the failure to pay a fine, successfully complete a smoking cessation or tobacco prevention program, or perform community service.

(6) A violation of this subsection is not grounds for denying, suspending, or revoking an individual's participation in a state college or university financial assistance program including, but not limited to, a Life Scholarship, a Palmetto Fellows Scholarship, or a need-based grant.

(7) The uniform traffic ticket, established pursuant to Section 56-7-10, may be used by law enforcement officers for a violation of this subsection. A law enforcement officer issuing a uniform traffic ticket pursuant to this subsection must immediately seize the tobacco product ~~or alternative nicotine product~~. The law enforcement officer also must notify a minor's parent, guardian, or custodian of the minor's offense, if reasonable, within ten days of the issuance of the uniform traffic ticket.

(G) This section does not apply to the possession of a tobacco product ~~or an alternative nicotine product~~ by a minor working within the course and scope of his duties as an employee or participating within the course and scope of an authorized inspection or compliance check.

(H) Jurisdiction to hear a violation of this section is vested exclusively in the municipal court and the magistrates court. A hearing pursuant to subsection (F) must be placed on the court's appropriate docket for traffic violations, and not on the court's docket for civil matters.

(I) A retail establishment that distributes tobacco products ~~or alternative nicotine products~~ must train all retail sales employees regarding the unlawful distribution of tobacco products ~~or alternative nicotine products~~ to minors.

(J)(1) A retail establishment that has as its primary purpose the sale of tobacco products, ~~alternative nicotine products, or both,~~ must prohibit minors under the age of eighteen years of age from entering the retail establishment, unless the minor is actively supervised and accompanied by an adult, and shall determine whether a person is at least eighteen years by requiring proper proof of age in accordance with subsection (B), prior to the purchase of a tobacco ~~or alternative nicotine~~ product.

(2) A retail establishment described in item (1) must conspicuously post on all entrances to the establishment the following:

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(a) a sign in boldface type that states ‘NOTICE: It is unlawful for a person under eighteen years of age to enter this store, unless the minor is actively supervised and accompanied by an adult. Age will be verified prior to purchase.’;

(b) a sign printed in letters and numbers at least one-half inch high that displays a toll free number for assistance to callers in quitting smoking, as determined by the Department of Health and Environmental Control.

(3) For purposes of this section, whether a retail establishment has as its primary purpose the sale of tobacco products, ~~alternative nicotine products, or both,~~ must be based on the totality of the circumstances. Facts that must be considered, but not be limited to, are the retail establishment’s business filings, business name and signage, marketing and other advertisements, and the percentage of revenue and inventory directly related to the sale of tobacco ~~and alternative nicotine~~ products.

(K) Notwithstanding any other provision of law, a violation of this section does not violate the terms and conditions of an establishment’s beer and wine permit and is not grounds for revocation or suspension of a beer and wine permit.

Section 16-17-501. As used in this section and Sections 16-17-500, 16-17-502, 16-17-503, ~~and 16-17-504,~~ and 16-17-506:

(1) ‘Distribute’ means to sell, furnish, give, or provide tobacco products ~~and alternative nicotine products,~~ including tobacco product samples ~~and alternative nicotine product samples,~~ cigarette paper, or a substitute for them, to the ultimate consumer.

(2) ‘Proof of age’ means a driver’s license or identification card issued by this State or a United States Armed Services identification card.

(3) ‘Sample’ means a tobacco product ~~or an alternative nicotine product~~ distributed to members of the general public at no cost for the purpose of promoting the products.

(4) ‘Sampling’ means the distribution of samples to members of the general public in a public place.

(5) ‘Tobacco product’ means: ~~a product that contains tobacco and is intended for human consumption. ‘Tobacco product’ does not include an alternative nicotine product~~

(a) any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means

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including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus;

(b) any electronic smoking device as defined in this section and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or

(c) any component, part, or accessory of item (1) or (2), whether or not any of these contains tobacco or nicotine including, but not limited to, filters, rolling papers, blunt or hemp wraps, and pipes.

Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

~~(6) 'Alternative nicotine product' means any vaping product, whether or not it includes nicotine, including electronic smoking devices, that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any other means. 'Alternative nicotine product' does not include:~~

~~(a) a cigarette, as defined in Section 12-21-620, or other tobacco products, as defined in Section 12-21-800;~~

~~(b) a product that is a drug pursuant to 21 U.S.C. 321(g)(1);~~

~~(c) a device pursuant to 21 U.S.C. 321(h); or~~

~~(d) a combination product described in 21 U.S.C. 353(g).~~

~~(7) 'Electronic smoking device' means any device that may be used to deliver any aerosolized or vaporized substance, including e-liquid, to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, vapor product, or e-hookah. 'Electronic smoking device' includes any component, part or accessory of the device, and also includes any container of e-liquid or other substance intended to be aerosolized or vaporized during the use of the device, whether or not the substance includes nicotine. 'Electronic smoking device' does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.~~

~~(8)(7) 'E-liquid' means a substance that:~~

~~(a) may or may not contain nicotine;~~

~~(b) is intended to be aerosolized or vaporized and inhaled using a vapor product; and~~

~~(c) is a legal substance under the laws of this State and the laws of the United States;~~

~~E-liquid does not include cannabis or CBD as defined under the laws of this State and the laws of the United States.~~

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(9) ~~‘Vapor product’ means a powered vaporizer that converts e-liquid to a vapor intended for inhalation.~~

(8) ‘Nicotine’ means naturally occurring nicotine that is derived from the tobacco plant or synthetic nicotine that is tobacco free.”

B. Sections 16-17-502, 16-17-503, and 16-17-504 of the 1976 Code are amended to read:

“Section 16-17-502. (A) It is unlawful for a person to distribute a tobacco product ~~or an alternative nicotine product~~ sample to a person under the age of eighteen years.

(B) A person engaged in sampling shall demand proof of age from a prospective recipient if an ordinary person would conclude on the basis of appearance that the prospective recipient may be under the age of eighteen years.

(C) A person violating this section is subject to a civil penalty of not more than twenty-five dollars for a first violation, not more than fifty dollars for a second violation, and not less than one hundred dollars for a third or subsequent violation. Proof that the defendant demanded, was shown, and reasonably relied upon proof of age is a defense to an action brought pursuant to this section.

Section 16-17-503. (A) Except as otherwise provided by law, the Director of the Department of Revenue shall provide for the enforcement of Sections 16-17-500, ~~and 16-17-502,~~ and 16-17-506 in a manner that reasonably may be expected to reduce the extent to which tobacco products ~~or alternative nicotine products~~ are sold or distributed to persons under the age of eighteen years and annually shall conduct random, unannounced inspections at locations where tobacco products ~~or alternative nicotine products~~ are sold or distributed to ensure compliance with the section. The department shall designate an enforcement officer to conduct the annual inspections. Penalties collected pursuant to Section 16-17-502 must be used to offset the costs of enforcement.

(B) The director shall provide for the preparation of and submission annually to the Secretary of the United States Department of Health and Human Services the report required by Section 1926 of the federal Public Health Service Act (42 U.S.C. Section 300x-26) and otherwise is responsible for ensuring the state’s compliance with that provision of federal law and implementing regulations promulgated by the United States Department of Health and Human Services.

Section 16-17-504. (A) Sections 16-17-500, 16-17-502, ~~and 16-17-503,~~ and 16-17-506 must be implemented in an equitable and uniform manner throughout the State and enforced to ensure the

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eligibility for and receipt of federal funds or grants the State receives or may receive relating to the sections. Any laws, ordinances, or rules enacted pertaining to tobacco products ~~or alternative nicotine products~~ may not supersede state law or regulation. Nothing in this section affects the right of any person having ownership or otherwise controlling private property to allow or prohibit the use of tobacco products ~~or alternative nicotine products~~ on the property.

(B) Smoking ordinances in effect before the effective date of this act are exempt from the requirements of subsection (A).”

C. Section 16-17-506 of the 1976 Code, as added by Act 25 of 2019, is amended to read:

“Section 16-17-506. ~~(1)~~(A) For purposes of this section, ‘container’ means a bottle or other container of any kind that contains e-liquid and is offered for sale, sold, or otherwise distributed, or intended for distribution to consumers, but that does not include a cartridge that is prefilled and sealed by the manufacturer and not intended to be opened by the customer.

~~(2)~~(B) It is unlawful to sell, hold for sale, or distribute a container of e-liquid unless:

~~(a)~~(1) the container satisfies the requirements of 21 C.F.R. Section 1143.3, if applicable, for the placement of labels, warnings, or any other information upon a package of e-liquid that is to be sold within the United States;

~~(b)~~(2) the container complies with child-resistant effectiveness standards under 16 C.F.R. Section 1700.15(b)(1) when tested in accordance with the requirements of 16 C.F.R. Section 1700.20; and

~~(c)~~(3) the container complies with federal trademark or copyright laws.

~~(3)~~(C) A person who knowingly sells, holds for sale, or distributes e-liquid containers in violation of any provision of subsection ~~(2)~~(B) is guilty of a misdemeanor and, upon conviction, ~~shall~~ must be imprisoned for not more than three years or fined not more than one thousand dollars, or both.

~~(4)~~(D) In addition to the other penalties provided by law, law enforcement may seize and destroy or sell to the manufacturer, for export only, any containers in violation of this section.”

SECTION 2. Section 44-95-20 of the 1976 Code, as last amended by Act 25 of 2019, is further amended to read:

“Section 44-95-20. (A) It is unlawful for a person to smoke or possess lighted smoking material in any form in the following public

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indoor areas except where a smoking area is designated as provided for in this chapter:

- (1) public schools and preschools;
- (2) all other indoor facilities providing children's services to the extent that smoking is prohibited in the facility by federal law and all other childcare facilities, as defined in Section 63-13-20, which are licensed pursuant to Chapter 13, Title 63;
- (3) health care facilities as defined in Section 44-7-130, except where smoking areas are designated in employee break areas. However, nothing in this chapter prohibits or precludes a health care facility from being smoke free;
- (4) government buildings, except health care facilities as provided for in this section, except that smoking may be allowed in enclosed private offices and designated areas of employee break areas. However, smoking policies in the State Capitol and Legislative Office Buildings must be determined by the office of government having control over its respective area of the buildings. 'Government buildings' means buildings or portions of buildings which are leased or operated under the control of the State or any of its political subdivisions, except those buildings or portions of buildings which are leased to other organizations or corporations;
- (5) elevators;
- (6) public transportation vehicles, except for taxicabs;
- (7) arenas and auditoriums of public theaters or public performing art centers. However, smoking areas may be designated in foyers, lobbies, or other common areas, and smoking is permitted as part of a legitimate theatrical performance; and
- (8) buildings, or portions of buildings, and the outside areas immediately contiguous to these buildings owned, leased, operated, or maintained by a public institution of higher learning, as defined in Section 59-103-5, that the governing board of the institution has designated as nonsmoking.

(B) For purposes of this chapter:

- (1) 'Cigarette' has the same meaning as defined in Section 12-21-620.
- (2) 'Lighted smoking material' means any lighted or heated cigarette, cigar, pipe, or any other lighted or heated tobacco product, intended for inhalation.
- (3) 'Smoke' means to inhale, exhale, burn, or carry any lighted smoking material intended for inhalation. 'Smoke' also means to inhale or exhale any tobacco product.

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(4) ‘Smoking’ means the inhaling, exhaling, burning, or carrying of any lighted smoking material intended for inhalation. ‘Smoking’ also means the inhaling or exhaling of any tobacco product.

(5) ‘Tobacco product’ has the same meaning as defined in Sections 12-21-800 and 16-17-501.”

SECTION 3. Section 59-1-380(A), (B), (E), and (F) of the 1976 Code, as added by Act 25 of 2019, is amended to read:

“Section 59-1-380. (A) ~~By August 1, 2019,~~ Every local school district in the State shall ~~adopt,~~ implement, and enforce a written policy prohibiting at all times the use of any tobacco product ~~or alternative nicotine product~~ by any person in school buildings, in school facilities, on school campuses, and in or on any other school property owned or operated by the local school administrative unit. The policy also must prohibit the use of any tobacco product ~~or alternative nicotine product~~ by persons attending a school-sponsored event at a location not listed in this subsection when in the presence of students or school personnel or in an area where smoking or other tobacco use is otherwise prohibited by law.

(B) The policy must include at least all of the following elements:

(1) adequate notice to students, parents or guardians, the public, and school personnel of the policy;

(2) posting of signs prohibiting at all times the use of tobacco products ~~or alternative nicotine products~~ by any person in and on school property; and

(3) requirements that school personnel enforce the policy, including appropriate disciplinary action.

(E) The policy may permit tobacco products ~~or alternative nicotine products~~ to be included in instructional or research activities in public school buildings if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not include smoking, chewing, inhaling, or otherwise ingesting the tobacco product ~~or alternative nicotine product~~.

(F) For purposes of this section:

~~(1) ‘tobacco product’ has the same meaning as defined in Section 16-17-501.~~

~~(2) ‘alternative nicotine product’ has the same meaning as defined in Section 16-17-501.”~~

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

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Rep. BERNSTEIN 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 94; Nays 0

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Bales	Ballentine	Bamberg
Bennett	Bernstein	Blackwell
Bradley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Elliott	Erickson	Felder
Forrest	Fry	Funderburk
Gagnon	Garvin	Gilliam
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Huggins	Hyde	Jefferson
Johnson	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Mace	Magnuson	Martin
Matthews	McCoy	McCrary
McDaniel	McGinnis	McKnight
Moore	D. C. Moss	Murphy
B. Newton	W. Newton	Norrell
Oremus	Ott	Pendarvis
Pope	Robinson	Rose
Simrill	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Thigpen
Toole	West	Wheeler

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R. Williams
Yow

Willis

Wooten

Total--94

Those who voted in the negative are:

Total--0

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4710. If I had been present, I would have voted in favor of the Bill.

Rep. Wendy Brawley

H. 4963--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4963 -- Reps. Tallon, Moore, Bernstein, Caskey, Clary, Davis, Elliott, King, Mace, Wheeler, Simrill, Rutherford, Bannister, Finlay, Bradley, Collins, Fry, Hyde, Murphy, W. Newton, Rose, Wooten, B. Newton, Sottile, Ridgeway, Ott, Hardee, Bailey, Herbkersman, Bamberg, Daning, Kirby, Atkinson, Felder, Hewitt, Martin, Oremus, Sandifer and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-360 SO AS TO PROVIDE THAT A PRODUCER OR WHOLESALER MAY FURNISH OR GIVE CERTAIN SAMPLES OF WINES TO A RETAILER NOT TO EXCEED THREE LITERS ANNUALLY; AND BY ADDING SECTION 61-6-1650 SO AS TO PROVIDE THAT A PRODUCER OR WHOLESALER MAY FURNISH OR GIVE CERTAIN SAMPLES OF WINES IN EXCESS OF SIXTEEN PERCENT ALCOHOL, CORDIALS, OR DISTILLED SPIRITS TO A RETAILER NOT TO EXCEED THREE LITERS ANNUALLY.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4963 (COUNCIL\SA\4963C001.RT.SA20), which was adopted:

[HJ]

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

/ SECTION 1. Article 3, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-360. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty-five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples must be clearly marked ‘Sample—Not for resale’. Nothing in this section allows for any sample to be sold or provided to any employees under the age of twenty-one or to a retailer’s customers. The producer or wholesaler shall remove all bottles at the conclusion of the sampling. For purposes of this section, the term ‘brand’ is defined as provided under 27 C.F.R. Section 6.11.”

SECTION 2. Subarticle 1, Article 5, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-1650. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine in excess of sixteen percent alcohol, cordial, or distilled spirit to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty-five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine in excess of sixteen percent alcohol, cordial, or distilled spirit annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples of each bottle or other container must be clearly marked ‘Sample—Not for resale’. Nothing in this section allows for any sample to be sold or provided to any employees under the age of twenty-one or to a retailer’s customers. The producer or wholesaler shall remove all bottles at the conclusion of the sampling. For purposes of this section, the term ‘brand’ is defined as provided under 27 C.F.R. Section 6.11.”

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Rep. BERNSTEIN explained the amendment.

The amendment was then adopted.

[HJ]

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The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 12

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Calhoon	Chellis	Clary
Clemmons	Collins	B. Cox
Crawford	Davis	Dillard
Elliott	Felder	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliard
Govan	Hardee	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Lucas	Mace
Mack	Magnuson	Martin
Matthews	McCoy	McDaniel
McGinnis	McKnight	Moore
D. C. Moss	Murphy	B. Newton
W. Newton	Norrell	Oremus
Ott	Parks	Pendarvis
Pope	Ridgeway	Robinson
Rose	Sandifer	Simrill
G. M. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Weeks
West	Wheeler	Whitmire
R. Williams	S. Williams	Willis
Wooten		

Total--94

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Those who voted in the negative are:

Burns	Chumley	Gilliam
Haddon	Hayes	Hiott
Long	McCrary	G. R. Smith
Stringer	Toole	Yow

Total--12

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

H. 4835--AMENDED AND DEBATE INTERRUPTED

The following Bill was taken up:

H. 4835 -- Reps. West, G. M. Smith, Simrill, Thayer, Cogswell, Sottile, Hewitt, Bales, Hardee, Caskey, Chellis, Finlay, Kimmons, Murphy, Wooten, Forrest, B. Newton, Fry and Clemmons: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT; AND TO AMEND SECTION 56-1-720, RELATING TO POINTS ASSESSED AGAINST A PERSON'S MOTOR VEHICLE RECORD FOR COMMITTING CERTAIN OPERATING VIOLATIONS, SO AS TO PROVIDE IMPROPER DRIVING IN A LEFT LANE IS A TWO-POINT VIOLATION.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 4835 (COUNCIL\CM\4835C002.\GT.CM20), which was adopted:

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

/ SECTION 1. Section 56-5-1810 of the 1976 Code is amended by adding the following appropriately lettered subsections at the end to read:

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“() On any controlled access roadway having two or more lanes allowing movement in the same direction, a driver may not continue to operate a motor vehicle in the furthestmost left-hand lane if the driver knows or reasonably should know that he is being overtaken in that lane from the rear by a motor vehicle traveling at a higher rate of speed. This subsection does not apply to a driver operating a vehicle that is overtaking another vehicle proceeding in the same direction, or when a driver of a tractor-trailer commercial motor vehicle combination is unable to move into the right lane safely due to other vehicles overtaking or passing his vehicle on the right, or when a driver of a vehicle requiring a commercial drivers license is unable to move into the right lane safely due to a highway grade or other vehicles overtaking or passing his vehicle on the right.

() A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of two hundred dollars or by imprisonment for not more than thirty days, and assessed two points against his motor vehicle operating record as provided in Section 56-1-720, except that a driver of a vehicle requiring a commercial drivers license may not be fined more than fifty dollars and no points may be assessed against his driving record for failing to comply with this section.

() The Department of Transportation must place signs along the interstate highways directing slower traffic to move right. These signs must be placed at intervals of no greater than every thirty-five miles.” /

Amend the bill further by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. This act takes effect one hundred eighty days after approval by the Governor. /

Re-number sections to conform.

Amend title to conform.

Rep. WEST explained the amendment.

The amendment was then adopted.

Rep. WEST explained the Bill.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of the Bill.

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RECURRENCE TO THE MORNING HOUR

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

H. 4835--COMMITTED

Debate was resumed on the following Bill, the pending question being the consideration of the Bill:

H. 4835 -- Reps. West, G. M. Smith, Simrill, Thayer, Cogswell, Sottile, Hewitt, Bales, Hardee, Caskey, Chellis, Finlay, Kimmons, Murphy, Wooten, Forrest, B. Newton, Fry and Clemmons: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT; AND TO AMEND SECTION 56-1-720, RELATING TO POINTS ASSESSED AGAINST A PERSON'S MOTOR VEHICLE RECORD FOR COMMITTING CERTAIN OPERATING VIOLATIONS, SO AS TO PROVIDE IMPROPER DRIVING IN A LEFT LANE IS A TWO-POINT VIOLATION.

Rep. WEST moved to commit the Bill to the Committee on Judiciary, which was agreed to.

S. 635--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 635 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

The Committee on Education and Public Works proposed the following Amendment No. 1 to S. 635 (COUNCIL\CM\635C003.GT. CM20), which was adopted:

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

/SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 147

‘Drivers For a Cure’ Special License Plates

Section 56-3-14710. (A) The Department of Motor Vehicles may issue ‘Drivers For a Cure’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56-3-630, and motorcycles, as defined in Section 56-3-20, registered in their names. Each special license plate must be issued or revalidated for a biennial period that expires twenty-four months from the month the special license plate is issued.

(B) This special license plate must be the same size and general design of regular motor vehicle license plates.

(C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56-3-8100. The biennial fee for each special license plate is thirty dollars plus the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. Any portion of the thirty-dollar fee in excess of the costs of production and distribution of the license plates must be distributed evenly between the Medical University of South Carolina Hollings Cancer Center and the Duke Cancer Institute.”

SECTION 2. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 148

Air Medal Special License Plates

Section 56-3-14810. (A) The Department of Motor Vehicles may issue ‘Air Medal’ special license plates to owners of private passenger-carrying motor vehicles, as defined in Section 56-3-630, or motorcycles, as defined in Section 56-3-20, registered in their names who have been awarded the Air Medal. The motor vehicle owner must present the department with a DD214, or other official documentation that states that the owner received the Air Medal, along with the owner’s application for this special license plate. The fee for this special license plate is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title. The license plates issued pursuant to this section, if permitted by the appropriate branch of the United States Armed Services, must contain an illustration of the Air Medal.

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(B) The production and issuance of this special license plate are exempt from the provisions contained in Section 56-3-8100(A)(1) and (2).”

SECTION 3. This act takes effect one hundred eighty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. BENNETT explained the amendment.

The amendment was then adopted.

Rep. BENNETT explained the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 2

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Clemmons
Cobb-Hunter	Collins	B. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Ligon
Long	Lowe	Lucas
Mack	Magnuson	Martin

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Matthews	McCoy	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
B. Newton	W. Newton	Norrell
Oremus	Ott	Parks
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Thayer	Thigpen
Weeks	West	Wheeler
Whitmire	S. Williams	Willis
Wooten		

Total--106

Those who voted in the negative are:

Hill White

Total--2

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on S. 635. If I had been present, I would have voted in favor of the Bill.

Rep. Bill Taylor

H. 4696--AMENDED AND REQUESTS FOR DEBATE

The following Bill was taken up:

H. 4696 -- Reps. Bennett, Chellis, Taylor, Felder, Davis, Robinson, Erickson, Brawley and Howard: A BILL TO AMEND SECTION 56-5-2780, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PASSING A STOPPED SCHOOL BUS, SO AS TO REVISE THE PENALTIES AND MAKE TECHNICAL CHANGES; AND BY ADDING SECTION 59-67-512 SO AS TO PROVIDE THE STATE

[HJ]

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SUPERINTENDENT OF EDUCATION MAY OVERRULE THE DECISION OF A LOCAL SCHOOL DISTRICT REGARDING THE PLACEMENT OF CERTAIN STUDENT SCHOOL BUS STOPS.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 4696 (COUNCIL\CM\4696C001.GT.CM20), which was adopted:

Amend the bill, as and if amended, Section 56-5-2780, as contained in SECTION 1, by adding the following appropriately lettered subsections at the end to read:

/ ()All fines collected pursuant to this section shall be received and administered by the South Carolina Department of Education for the purchase of digital recording devices mounted on school buses as provided in Section 56-5-2770 and school bus extended stop arms.

()The month of August of each year is declared "School Bus Safety Month" in South Carolina. /

Amend the bill further by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. This act takes effect ninety days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. BENNETT explained the amendment.

The amendment was then adopted.

Rep. BENNETT explained the Bill.

Reps. HAYES, CASKEY, HILL, OTT, ATKINSON, WHEELER, JORDAN, LOWE, HART, MAGNUSON, FRY, BLACKWELL, JOHNSON, HIOTT, D. C. MOSS, BRYANT, PENDARVIS, S. WILLIAMS, MOORE, WEEKS, THAYER, CHELLIS and MCDANIEL requested debate on the Bill.

H. 5305--ORDERED TO THIRD READING

The following Bill was taken up:

H. 5305 -- Reps. Norrell, B. Newton, Yow and Lucas: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO

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REVISE THE NAMES OF SEVEN PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Rep. NORRELL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brown	Bryant
Burns	Calhoon	Chellis
Clary	Clemmons	Collins
B. Cox	Crawford	Daning
Davis	Dillard	Elliott
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Govan	Haddon	Hardee
Hart	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Mace	Mack	Magnuson
Martin	McCoy	McCray
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Oremus
Ott	Parks	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
Sottile	Spires	Stavrinakis

[HJ]

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Stringer	Tallon	Taylor
Thayer	Thigpen	Weeks
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

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

H. 5201--POINT OF ORDER

The following Bill was taken up:

H. 5201 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

POINT OF ORDER

Rep. G. M. SMITH 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.

H. 5202--POINT OF ORDER

The following Joint Resolution was taken up:

H. 5202 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2019-2020, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

[HJ]

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POINT OF ORDER

Rep. G. M. SMITH made the Point of Order that the Joint Resolution 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.

**H. 4454--REQUESTS FOR DEBATE WITHDRAWN AND
DEBATE ADJOURNED**

Upon the withdrawal of requests for debate by Reps. ATKINSON, BAMBERG, DANING, HARDEE, HART, HAYES, HEWITT, HOSEY, G. M. SMITH, WEEKS, R. WILLIAMS and WILLIS, the following Bill was taken up:

H. 4454 -- Reps. Long, Chumley, Burns, Allison, Felder, Morgan, Taylor, Jefferson, Brown, Tallon, Yow, Ridgeway, Martin and B. Newton: A BILL TO AMEND SECTION 56-5-1538, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO DELETE PROVISIONS THAT REGULATE THE CONDUCT OF A DRIVER OF A VEHICLE APPROACHING AN EMERGENCY SCENE OR EMERGENCY VEHICLE, THE PENALTIES FOR VIOLATING THIS SECTION, AND CERTAIN TERMS AND THEIR DEFINITIONS; BY ADDING SECTION 56-5-1539 SO AS TO PROVIDE DEFINITIONS FOR CERTAIN TERMS, REGULATE THE CONDUCT OF A DRIVER OF A VEHICLE APPROACHING A TRAFFIC INCIDENT SCENE, AND PROVIDE PENALTIES; TO AMEND SECTION 56-5-1535, RELATING TO THE OFFENSE OF ENDANGERMENT OF A HIGHWAY WORKER AND PENALTIES FOR A VIOLATION OF THIS OFFENSE, SO AS TO REVISE THE DEFINITION OF THE TERMS "HIGHWAY WORK ZONE" AND "HIGHWAY WORKER"; AND BY ADDING SECTION 56-5-1537 SO AS TO PROVIDE THE DEPARTMENT OF TRANSPORTATION MUST PROVIDE TRAFFIC INCIDENT MANAGEMENT TRAINING TO A DRIVER OF A WRECKER OR TOWING SERVICE VEHICLE FREE OF CHARGE.

Rep. ALLISON moved to adjourn debate on the Bill until Thursday, March 5, which was agreed to.

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RECURRENCE TO THE MORNING HOUR

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

HOUSE RESOLUTION

The following was introduced:

H. 5340 -- Rep. Taylor: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE CONGREGATION OF MONTMORENCI FIRST BAPTIST CHURCH AT THE CELEBRATION OF THEIR SESQUICENTENNIAL ANNIVERSARY AND TO CONGRATULATE THEM UPON THE JUBILANT AND MOMENTOUS OCCASION OF ONE HUNDRED FIFTY YEARS OF MINISTRY IN THE MONTMORENCI COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5341 -- Reps. Rose, Rutherford, Finlay, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoun, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Sandifer, 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 and Yow: A HOUSE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MARGARET "MOLLY" LAWRENCE RODDEY OF COLUMBIA, TO CELEBRATE HER LIFE AND

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ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5342 -- Reps. Yow, 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, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 and Wooten: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR WAYNE SOUTHARD, INSPECTOR OF THE CHESTERFIELD SCHOOL BUS SHOP, AND TO CONGRATULATE HIM UPON BEING NAMED THE 2019 NATIONAL WINNER AS AMERICA'S BEST SCHOOL BUS INSPECTOR.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5343 -- Reps. Bamberg, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, 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,

[HJ]

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Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND ED DARNELL, OF BAMBERG COUNTY, FOR MORE THAN FORTY YEARS OF DISTINGUISHED PUBLIC SERVICE AS BAMBERG COUNTY SHERIFF AND HIS COMMITMENT TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5349 -- Reps. McDaniel, Parks and King: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE COLUMBIA ALUMNAE CHAPTER AND THE RICHLAND COUNTY ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INCORPORATED, FOR YEARS OF DEDICATED PUBLIC SERVICE TO THE COMMUNITY, TO WISH ITS MEMBERS MANY YEARS OF CONTINUED GROWTH AND DEVELOPMENT, AND TO DESIGNATE FEBRUARY 16, 2020, AS "COLUMBIA ALUMNAE CHAPTER AND RICHLAND COUNTY ALUMNAE CHAPTER, DELTA SIGMA THETA SORORITY, INCORPORATED, FOUNDERS DAY" IN THE PALMETTO STATE, CELEBRATED IN FAIRFIELD COUNTY WITH AN OBSERVANCE CHURCH SERVICE AT ST. MATTHEW'S FIRST BAPTIST CHURCH AND MT. MORIAH BAPTIST CHURCH.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5350 -- Reps. Finlay, 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, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 and Yow: A HOUSE RESOLUTION TO CONGRATULATE TUCKER M. WOODHAM OF RICHLAND COUNTY FOR HIS REMARKABLE ACCOMPLISHMENTS IN THE BOY SCOUTS OF AMERICA AND TO SALUTE HIM UPON ACHIEVING THE CELEBRATED RANK OF EAGLE SCOUT, THE HIGHEST AWARD IN SCOUTING.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5351 -- Reps. Finlay, 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, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson,

[HJ]

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Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 and Yow: A HOUSE RESOLUTION TO CONGRATULATE ZACHARY E. GODBY OF RICHLAND COUNTY FOR HIS REMARKABLE ACCOMPLISHMENTS IN THE BOY SCOUTS OF AMERICA AND TO SALUTE HIM UPON ACHIEVING THE CELEBRATED RANK OF EAGLE SCOUT, THE HIGHEST AWARD IN SCOUTING.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 5344 -- Reps. Simrill, Cobb-Hunter and Finlay: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 6 THROUGH 10, 2020 AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK" AND APRIL 8, 2020 AS "INDEPENDENT COLLEGES AND UNIVERSITIES DAY."

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

CONCURRENT RESOLUTION

The following was introduced:

H. 5345 -- Reps. Forrest, 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, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight,

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Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 and Yow: A CONCURRENT RESOLUTION TO CELEBRATE THE THIRTY-FOURTH ANNIVERSARY OF THE SOUTH CAROLINA POULTRY FESTIVAL, TO BE HELD MAY 7 THROUGH 9, 2020, IN BATESBURG-LEESVILLE, AND TO HONOR THOSE PLANNING AND PARTICIPATING IN THE FESTIVAL.

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

CONCURRENT RESOLUTION

The following was introduced:

H. 5346 -- Reps. Lucas, 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, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 and Yow: A CONCURRENT RESOLUTION TO WELCOME TO THE PALMETTO STATE THE HONORABLE BRIAN E. SHEEHAN, SECOND VICE PRESIDENT OF LIONS CLUBS INTERNATIONAL, ON THE OCCASION OF THE 96TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO

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HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

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

CONCURRENT RESOLUTION

The following was introduced:

H. 5347 -- Reprs. Calhoon, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, 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, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BOBBY MERLE BOWERS OF LEXINGTON COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

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

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INTRODUCTION OF BILL

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 5348 -- Rep. Howard: A BILL TO AMEND SECTIONS 44-37-30, AS AMENDED, AND 44-37-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE "NEWBORN SCREENING ADVISORY COMMITTEE", SO AS TO RENAME THE COMMITTEE THE "NEWBORN SCREENING AND RARE DISEASE COUNCIL" AND TO ESTABLISH CERTAIN REQUIREMENTS FOR MEMBERS OF THE COUNCIL.

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

JOINT ASSEMBLY

At 12:30 p.m. the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 1001 -- Senator Peeler: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, JAMES W. OXFORD, TO SOUTH CAROLINA, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 4, 2020.

The Honorable James W. "Bill" Oxford and distinguished party were escorted to the rostrum by Senators Allen, Cromer, Massey, Setzler and Shealy and Representatives GILLIAM, RIDGEWAY, TALLON and R. WILLIAMS. The President of the Seante recognized our special guests and then the National American Legion Commander addressed the General Assembly as follows:

**Address by the Honorable James W. "Bill" Oxford
National Commander of The American Legion
March 4, 2020**

Mr. President, Mr. Speaker, Senators and Representatives, it's truly an honor to speak to such a distinguished Body in this historic Statehouse.

[HJ]

WEDNESDAY, MARCH 4, 2020

Before I begin, please allow me a moment to introduce members of The American Legion Family who are with me today.

We have with us the Commander of the South Carolina American Legion, Walt Richardson of Chapin, The Department Adjutant Nick Diener of Columbia, and National Executive Committeeman Michael D. Strauss of North Augusta. It is also my pleasure to introduce my counterpart at The American Legion Auxiliary, National President Nicole Clapp of Gladbrook, Iowa. We also have the American Legion Auxiliary South Carolina President, Roberta "Bobbie" Sinner of Sumter. And, also, The Auxiliary Alternate National Executive Committeewoman for South Carolina, Judy Hennis of Murrells Inlet.

During the last several addresses made here by my predecessors, they acknowledged the director of the South Carolina Division of Veterans Affairs, Howard Metcalf. I wish that I could continue that tradition. But God has called him to where we, in The American Legion, affectionately refer to as Post Everlasting. A retired Sergeant Major, Director Metcalf spent an entire career serving his country – which included a tour as a soldier in Vietnam. He was particularly dedicated to increasing opportunities for women and minorities.

As the director of Veterans Affairs, he served the 400,000 veterans in this State with great honor. He will be missed. I would like to thank this Body for Senate Resolution 1058, passed in his memory.

This State Legislature is the only one in the United States that annually extends an invitation for the national commander of the nation's largest veterans to address it. The significance of such an honor is fully appreciated by The American Legion.

Next week, I will be addressing a Joint Session of Congress and will reiterate some of the same points that I will make today.

It is the work of bodies such as this – and the U.S. Congress – that George Washington referred to in his farewell address, as – quote - "the benign influence of good laws under a free government." My military career began as a Marine recruit standing on the yellow footprints at Parris Island, right here in South Carolina. I was able to visit Parris Island again two days ago. Needless to say, my reception was a little warmer this time around.

A tour in the Marine Corps exposes young men and women to various skills and occupations. But if you ask any Marine, they will tell you about an impressive group that they call their "docs" – also known as Navy corpsmen. Regardless of service branch – corpsmen, medics, nurses – the skills of these men and women are without question. Many

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times, these life-saving skills have been tested under fire in hostile environments.

But these skills don't just have to benefit the people serving in the military. We are pleased that this Legislature is considering the Veterans Nursing Degree Opportunity Act. This Act gives South Carolina colleges and universities the option of creating degree programs that recognize the value of military experience in healthcare.

The Department of Health and Human Services estimates that South Carolina faces a shortage of more than 10,000 nurses by 2030. The Veterans Nursing Degree Opportunity Act sounds like a win—win. Good for South Carolina and good for veterans.

While we in The American Legion welcome the removal of bureaucratic hurdles to simplify the certification process – we do not believe in lowering standards. And by hiring veterans, you are doing the opposite. When you hire a veteran, you are selecting a person who has proven through their military service that they are disciplined performers capable of accomplishing their mission under stressful conditions. They are usually physically-fit and equally adept at following orders and innovation based on changing conditions.

The men and women of the U.S. military have withstood and often excelled in some of the most challenging training in the world. And that training must continue even after these men and women leave the military service.

There are many outstanding colleges, universities and vocational schools in South Carolina. Sadly, there are some sub-par schools and online institutions in this Country and overseas that use deceptive marketing to separate veterans from their well-earned GI Bill benefits. By offering little value, they are not only shortchanging student veterans, but they are committing fraud on U.S. taxpayers.

The American Legion is calling on the federal government to provide better oversight and close some of the loopholes that allow these for-profit sham schools to exploit unsuspecting students.

One prestigious school that you are very familiar with, the University of South Carolina, is being led by President Robert Caslen, a retired lieutenant general and the former superintendent of West Point.

A recent newspaper column in the State actually ran the headline, "Caslen's top staff are veterans or have military connections. Is that good for USC?" Allow me to answer that question. "Yes!"

Military service requires a lot more than trigger-pulling and marching. The U.S. military leads the world in technological innovation. In addition to academic excellence, the bright men and women attending

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our service academies must excel in rigorous physical training, adhere to strict honor codes and learn the value of leadership.

If you value diversity, look no further than our military which truly is a melting pot of excellence. Any American university or college would be well served by including a large representation of veterans among its leadership and student body.

This Legislature should be commended for its recent creation of the South Carolina Department of Veterans Affairs. For many years The American Legion worked to have the U.S. Veterans Administration elevated to the cabinet-status that it enjoys today. The U.S. Department of Veterans Affairs is far from perfect, but since 1989 it has been led by secretaries who have been vetted and confirmed by Congress. With the increased status came increased scrutiny. The American Legion believes this is a good thing. It not only empowers the department to better serve its constituency, but it sends a powerful message that veterans are an important priority.

This Legislative Session in particular has shown it's appreciation for veterans through the Workforce Enhancement and Military Recognition Act. If it becomes law, it will exempt military pensions from state income tax. This will be a powerful incentive for military retirees to choose South Carolina as their new home once they hang up their uniforms.

This is a state with a strong military presence. You are home to eight military installations, not including local Guard and Reserve centers. You have 50,000 men and women on active duty and in the reserves. You have men and women of every ethnic background, religious belief and economic status.

This is the State that gave us Andrew Jackson, General William Westmoreland and Challenger Astronaut Ronald McNair. This State has produced 38 Medal of Honor recipients.

It also blessed us with a legendary and beloved Legionnaire – Past National Commander E. Roy Stone of Greenville. Commander Stone served in World War II and was so dedicated to our organization that he earned the nickname, “Mr. Legionnaire.”

He described his vision for our organization in an essay that was so poignant that it motivated Rep. Sonny Montgomery of Mississippi to enter it into the Congressional record in 1994. Time will not allow me to read it in its entirety, but a longer excerpt can be found in the December issue of The American Legion Magazine. It is titled, “This We Believe.” By calling on veterans to keep faith with their fallen comrades,

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Commander Stone's words ring as true today as they did when he first uttered them.

Quote- "We must rededicate ourselves to the ideals of our organization, be active and keep faith with our fallen comrades. We must grid ourselves for any legislative fight that may become necessary, and see that any veteran who needs hospital or nursing care will have it. No compromises. Right is right. Wrong is wrong. As we celebrate our years of service to community, state and nation, we are proud of our past record of accomplishments. We look forward to an even brighter future."
--unquote.

Thanks to the dedicated men and women gathered in this room and the patriotic citizens of South Carolina, I share Commander Stone's optimism for our bright future.

Now, if you would allow me for one moment to call to the dais two members of this distinguished Body who have proven that they are not only great lawmakers, but they are advocates for those who have served. They have been designated by The American Legion Department of South Carolina as the Outstanding Members of the Legislature for 2020. They are true friends of veterans and The American Legion.

Senator Ronnie Cromer and Representative Michael Rivers, Sr., would you please join me?

Commander presents plaques.

We appreciate all that you do on behalf of veterans.

Thank you so much, South Carolina Legislature.

God Bless you and God Bless America.

JOINT ASSEMBLY RECEDES

The purposes of the Joint Assembly having been accomplished, the PRESIDENT announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

THE HOUSE RESUMES

At 12:45 p.m. the House resumed, the SPEAKER in the Chair.

Rep. BRAWLEY 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. 5333 -- Reprs. Wooten, Huggins, 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, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CAROLINAS ASSOCIATED GENERAL CONTRACTORS ON THE OCCASION OF THE ORGANIZATION'S CENTENNIAL ANNIVERSARY AND TO EXTEND BEST WISHES FOR MUCH CONTINUED SUCCESS IN THE YEARS TO COME.

ADJOURNMENT

At 12:49 p.m. the House, in accordance with the motion of Rep. HERBKERSMAN, adjourned in memory of William G. Roe, to meet at 10:00 a.m. tomorrow.

WEDNESDAY, MARCH 4, 2020

H. 3106	4	H. 5137	5
H. 3355	4	H. 5201	33
H. 3373	4	H. 5202	33
H. 3681	4	H. 5305	31
H. 4078	7	H. 5306	6
H. 4454	4, 34	H. 5333	47
H. 4663	6	H. 5339	1
H. 4669	6	H. 5340	35
H. 4694	7	H. 5341	35
H. 4696	4, 30, 31	H. 5342	36
H. 4710	10, 11, 22	H. 5343	36
H. 4724	6	H. 5344	39
H. 4776	7	H. 5345	39
H. 4777	5	H. 5346	40
H. 4785	5	H. 5347	41
H. 4788	5	H. 5348	42
H. 4796	5	H. 5349	37
H. 4800	7	H. 5350	38
H. 4835	5, 25, 27	H. 5351	38
H. 4937	5, 8, 9		
H. 4938	7	S. 635	27
H. 4963	22	S. 1001	42
H. 5125	5		