

NO. 42

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



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019**

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**TUESDAY, SEPTEMBER 22, 2020**  
**(STATEWIDE SESSION)**

**Tuesday, September 22, 2020**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm Hebrews 2:1: “We must pay greater attention to what we have heard, so that we do not drift away.”

Let us pray. Lord God, we bring before You the cries of a sorrowing world. In Your mercy, set us free from the chains that bind us and defend us from everything that is evil. Grant to these Representatives and staff the will and the way to accomplish the work at hand. Give us peace and understanding to carry forth the message of reconciliation to each other. Bless our defenders of freedom and first responders as they care for us. Cause Your face to shine on the World, Nation, President, State, Governor, Speaker, and all who give of themselves for the betterment of the State. 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 Wednesday, September 16, the SPEAKER ordered it confirmed.

**STATEMENT FOR JOURNAL**

September 22, 2020

Charles Reid, Clerk

South Carolina House of Representatives

Dear Mr. Reid,

I am notifying you that I did not participate in the vote on S. 545, a bill, which included provisions related to the exclusion of payment protection program loans for South Carolina income tax purposes. In accordance with Section 8-13-700(B) of the SC Code, I hereby recuse myself from voting on the the bill because of a potential conflict of interest due to an economic interest of myself, my family member as

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defined in Section 8-13-100(15)(a), or an individual or business with which I am associated may be affected. Please note this in the House Journal for September 16, 2020.

Rep. Kirkman Finlay III

**MOTION ADOPTED**

Rep. HOSEY moved that when the House adjourns, it adjourn in memory of Roy Charles Hammond, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Micah Horton and for his family and friends.

**SILENT PRAYER**

The House stood in silent prayer for Lashay Doe, Jashawn Hawkins, Alonzo Houston, and Cameron Perry, and for their family and friends.

**SILENT PRAYER**

The House stood in silent prayer for Supreme Court Justice Ruth Bader Ginsburg, and for her family and friends.

**SILENT PRAYER**

The House stood in silent prayer for James Arnold "Ronnie" Boyce.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., September 22, 2020

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that Senator Jackson will replace Senator Sheheen on the Committee of Conference on the following Bill:

H. 3210 -- Reps. Loftis, Clyburn, Collins, Burns, Clary, W. Cox, Morgan, Hyde, Stringer, Elliott, B. Cox, Gagnon, Caskey, Bannister, Willis, Sottile, Stavrinakis, Daning, Blackwell, Taylor, Forrester, Fry, West, Finlay, Simrill, V.S. Moss, Bryant, Bales, D.C. Moss, Erickson, Herbkersman, Whitmire and Weeks: A BILL TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE CORONAVIRUS AID, RELIEF, AND ECONOMIC

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SECURITY ACT, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

Very Respectfully,  
President of the Senate

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5590 -- Reprs. Martin, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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, Matthews, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE HONORABLE DAVID C. WALDROP, JR., AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

Whereas, the members of the South Carolina House of Representatives were deeply saddened by the passing of the Honorable David C. Waldrop, Jr., of Newberry, on September 13, 2020, at the venerable age of seventy-six; and

Whereas, born on November 23, 1943, in Newberry, David Waldrop was the son of the late David C. Waldrop, Sr., and Jewel Ellenberg

[HJ]

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Waldrop. The young Dave graduated from Kings College, where he earned a bachelor's degree in business administration; and

Whereas, from 1981 until 1997, Dave Waldrop served in the South Carolina House of Representatives, where he led the Medical, Military, Public and Municipal Affairs Committee as chairman; and

Whereas, because he strongly believed in active community involvement, he put his convictions into action by serving his own community in various capacities. From 1972 to 1975, Mr. Waldrop served on Newberry County Council. In addition, for more than thirty years he was on the Newberry County Council on Aging, which he served as chairman. In recognition of his service to the well-being of area senior citizens, in 1994 the Dave C. Waldrop Senior Center was named in his honor; and

Whereas, further, he was a member of the Silverstreet Fire Department and a former member of the Silverstreet Young Farmers. He was a member of Amity Lodge No. 87 and the Hejaz Shrine Temple. A Clemson fan, he was an IPTAY member for over fifty years; and

Whereas, as a man of faith, he was a member of Trinity United Methodist Church, where he was chairman of the church's administrative council and a member of the Men's Club of Trinity; and

Whereas, this faithful public servant and his wife opened their home for many community events over the years; and

Whereas, Dave Waldrop leaves to cherish his memory his wife, Debbie Smith Waldrop; his daughters, Jaime (Bob Shirey) VanZadelhoff of Newberry and Whitney (Harry) Cromer of Chapin; his nephews and nieces, Craig (Frieda) Kesler, Keely (Lou) DeMarino, and Clay (Kimberly) Smith; his grandchildren, David VanZadelhoff, Julia Collins Cromer, and Harrison Cromer; a great-nephew, Barry (Abby) Kesler; a great-niece, Melynda (John) Gunter; and a goddaughter, Jessica Coggins Dahman; and

Whereas, the people of South Carolina were made better by the influence of David Waldrop and will greatly miss his impactful presence. Now, therefore,

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Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, express profound sorrow upon the passing of the Honorable David C. Waldrop, Jr., and extend the deepest sympathy to his family and many friends.

Be it further resolved that a copy of this resolution be presented to Mrs. Debbie Smith Waldrop for the family.

The Resolution was adopted.

### **HOUSE RESOLUTION**

The following was introduced:

H. 5591 -- Reps. McCravy, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE DAVID C. DORITY OF GREENWOOD COUNTY ON BEING NAMED MATHEWS LIONS CLUB 2020 LION OF THE YEAR.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 5592 -- Reps. Ballentine, Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE AND HONOR CANE, BUREAU OF PROTECTIVE SERVICES K-9 OFFICER, UPON THE OCCASION OF HIS RETIREMENT ON AUGUST 4, 2020, AFTER SIX YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM MUCH HAPPINESS AS HE ENJOYS HIS WELL-EARNED REST.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5594 -- Reps. Alexander, McKnight and Thigpen: A HOUSE RESOLUTION TO CONGRATULATE THE ZETA EPSILON CHAPTER OF KAPPA ALPHA PSI FRATERNITY, INC., ON THE CHAPTER'S CELEBRATION OF ITS FIFTIETH ANNIVERSARY, TO WISH THE CHAPTER MANY MORE YEARS OF INSPIRING HIGH ACHIEVEMENT IN ITS MEMBERS, AND TO DECLARE SEPTEMBER 25, 2020, AS "ZETA EPSILON DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

[HJ]

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**HOUSE RESOLUTION**

The following was introduced:

H. 5595 -- Reprs. Govan, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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, 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, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE GOOD HOPE AFRICAN METHODIST EPISCOPAL CHURCH IN ORANGEBURG COUNTY, UPON THE OCCASION OF THE CHURCH'S ONE HUNDRED FIFTY-SEVENTH ANNIVERSARY, AND TO COMMEND THE PASTORS AND THE CONGREGATION FOR THEIR MEANINGFUL MINISTRY IN THE COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5597 -- Reprs. Rutherford, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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,

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Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, 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, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF SHAWN LECLAIR REEVES OF RICHLAND COUNTY, ASSISTANT GENERAL COUNSEL FOR THE DEPARTMENT OF SOCIAL SERVICES, AND TO EXTEND THEIR DEEPEST CONDOLENCES TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5598 -- Reprs. Henderson-Myers, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoun, Caskey, Chellis, Chumley, Clary, 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, 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, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE ORGANIZERS OF SOUTH CAROLINA BLACK VOTER DAY AS A RALLYING

**TUESDAY, SEPTEMBER 22, 2020**

CALL TO ALL BLACK SOUTH CAROLINIANS TO EXERCISE THEIR CONSTITUTIONAL AND GOD-GIVEN RIGHTS BY VOTING IN THE NOVEMBER 3, 2020, ELECTION AND TO DECLARE OCTOBER 6, 2020, "BLACK VOTER DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5599 -- Reps. Calhoun, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chellis, Chumley, Clary, 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, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE AND RECOGNIZE CYNTHIA S. "CINDY" SMITH, MEMBER OF THE LEXINGTON COUNTY SCHOOL DISTRICT ONE BOARD OF TRUSTEES, AND TO WISH HER CONTINUED SUCCESS AS SHE RETIRES AFTER TWENTY YEARS OF OUTSTANDING SERVICE ON THE BOARD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5600 -- Reps. S. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett,

[HJ]

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Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE LIEUTENANT CLAYTON JOHNSON OF THE VARNVILLE POLICE DEPARTMENT, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY YEARS OF OUTSTANDING SERVICE IN LAW ENFORCEMENT, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5593 -- Reprs. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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, 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,

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Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE KATHY DIANE HUGGINS KONDUROS OF RICHLAND COUNTY ON THE OCCASION OF HER SEVENTIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5596 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE BONNIE PITTMAN OF GREENVILLE COUNTY ON THE OCCASION OF HER SEVENTIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION.

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:

S. 1191 -- Senator M. B. Matthews: A BILL TO AMEND SECTION 1 OF ACT 476 OF 1998, RELATING TO THE JASPER COUNTY BOARD OF EDUCATION, TO REQUIRE A CANDIDATE SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN A SIGNED PETITION.

On motion of Rep. S. WILLIAMS, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

**CONFIRMATION OF APPOINTMENT**

The following was received:

The Committee on House Education and Public Works Committee:  
Columbia, S.C., September 22, 2020

Statewide Appointment

The Committee respectfully reports that they have duly and carefully considered the same and recommends that the same do pass.

Commission Member, SC Department of Transportation Commission

Appointment:

Nancy Whitworth

Term Commencing: May 10, 2018

Term Expiring: February 15, 2022

Seat: Governor's At-Large

Vice: Kristen E. Blanchard, resigned 02/03/2020

Merita A. Allison

Chairwoman of the House Education and Public Works Committee

Rep. ALLISON submitted a favorable report on the SC Department of Transportation Commission appointment.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

[HJ]

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
McCravy	McDaniel	McGinnis
McKnight	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
W. Newton	Norrell	Oremus
Ott	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--108**

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Those who voted in the negative are:

**Total--0**

The appointment was confirmed and a message was ordered sent to the Senate accordingly.

**H. 5201--ORDERED COMMITTED TO THE COMMITTEE  
ON WAYS AND MEANS, PURSUANT TO RULE 4.8**

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

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.

The SPEAKER, citing Rule 4.8, ordered the Bill committed to the Committee on Ways and Means.

**H. 4938--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

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.

Rep. RIDGEWAY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Bryant
Burns	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mack	Magnuson
Martin	Matthews	McCray
McDaniel	McGinnis	McKnight
Morgan	D. C. Moss	V. S. Moss
W. Newton	Norrell	Oremus
Ott	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Toole	Trantham	Weeks
West	Wetmore	Wheeler
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--108**



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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.

**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	Chumley	Clary
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	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Mack	Magnuson	Martin
Matthews	McCrary	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	W. Newton	Norrell
Oremus	Ott	Parks
Pendarvis	Pope	Ridgeway

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

**Total Present--119**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**STATEMENT BY REP. COGSWELL**

Rep. COGSWELL made a statement relative to Rep. SOTTILE'S service in the House.

**STATEMENT BY REP. SOTTILE**

Rep. SOTTILE made a statement relative to his service in the House.

**STATEMENT BY REP. HUGGINS**

Rep. HUGGINS made a statement relative to Rep. SPIRES'S service in the House.

**STATEMENT BY REP. SPIRES**

Rep. SPIRES made a statement relative to his service in the House.

**SPEAKER *PRO TEMPORE* IN CHAIR**

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**H. 3485--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Wednesday, September 16, 2020

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 3485:

H. 3485 -- Reps. Jefferson, R. Williams, Cobb-Hunter and Weeks: A BILL TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INCOME TAX CREDIT FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO REMOVE A PROVISION ALLOWING THE DEPARTMENT OF ARCHIVES AND HISTORY TO ESTABLISH FEES, TO PROVIDE THAT A TAXPAYER CLAIMING THE CREDIT MUST PAY A FEE TO THE DEPARTMENT OF ARCHIVES AND HISTORY FOR THE STATE HISTORIC PRESERVATION GRANT FUND, AND TO PROVIDE THAT THE DEPARTMENT SHALL DEVELOP AN APPLICATION PROCESS; AND TO AMEND SECTION 12-6-5060, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD THE DEPARTMENT OF ARCHIVES AND HISTORY.

Very respectfully,  
President

On motion of Rep. W. NEWTON, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. W. NEWTON, R. WILLIAMS and JEFFERSON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

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**H. 5564--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5564 -- Reps. Sandifer and Whitmire: A BILL TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

Rep. SANDIFER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Bryant
Burns	Calhoon	Caskey
Chumley	Clary	Clyburn
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
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mack	Magnuson
Martin	Matthews	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	W. Newton
Norrell	Oremus	Ott

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

**Total--109**

Those who voted in the negative are:

**Total--0**

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

**S. 1121--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1121 -- Senators Hutto and M. B. Matthews: A BILL TO CONSOLIDATE HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE HAMPTON COUNTY SCHOOL DISTRICT; TO ABOLISH HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 ON JULY 1, 2021; TO PROVIDE THAT THE HAMPTON COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE HAMPTON COUNTY LEGISLATIVE DELEGATION, AND BEGINNING IN 2022, THE SEVEN MEMBERS OF THE HAMPTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED AT LARGE BY A PLURALITY VOTE OF THE QUALIFIED ELECTORS RESIDING IN HAMPTON COUNTY IN NONPARTISAN ELECTIONS TO BE CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS

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ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2021 AND 2022, AND TO PROVIDE THAT BEGINNING IN 2023, THE GOVERNING BODY OF HAMPTON COUNTY SHALL APPROVE AN ANNUAL TAX LEVY IN ORDER TO OBTAIN FUNDS FOR SCHOOL PURPOSES AS PROVIDED IN THIS ACT.

Rep. S. WILLIAMS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clyburn	Cogswell
Collins	B. Cox	W. Cox
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Funderburk	Gagnon	Garvin
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mack	Martin
Matthews	McDaniel	McKnight

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Morgan	D. C. Moss	V. S. Moss
Murphy	W. Newton	Oremus
Parks	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Simrill	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Toole	Trantham	Weeks
West	Wetmore	Wheeler
White	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--96**

Those who voted in the negative are:

**Total--0**

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

**RETURNED TO THE SENATE WITH AMENDMENTS**

The following Bills were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 719 -- Senators Hembree, Fanning and Campsen: A BILL TO AMEND SECTION 33-57-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, 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; AND TO REPEAL SECTION 33-57-200 RELATING TO THE REPEAL OF CHAPTER 57, TITLE 33.

S. 993 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-

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555, SO AS TO PROVIDE FOR A PERMIT ALLOWING LICENSED WINERIES, BREWERIES, AND MICRO-DISTILLERIES TO SELL THEIR WINE, BEER, AND ALCOHOLIC LIQUORS AT FESTIVALS AND TO PROVIDE SAMPLES OF THESE PRODUCTS AT FESTIVALS; BY ADDING SECTION 61-4-721, SO AS TO PERMIT LICENSED WINERIES TO OBTAIN WINERY FESTIVAL PERMITS IN ACCORDANCE WITH SECTION 61-4-555; BY ADDING SECTION 61-4-970, SO AS TO PERMIT LICENSED BREWERIES TO OBTAIN BREWERY FESTIVAL PERMITS IN ACCORDANCE WITH SECTION 61-4-555; AND BY ADDING SECTION 61-6-1155, SO AS TO PERMIT LICENSED MICRO-DISTILLERIES TO OBTAIN MICRO-DISTILLERY FESTIVAL PERMITS IN ACCORDANCE WITH SECTION 61-4-555.

S. 207 -- Senator Young: A BILL TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.

S. 545 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-335(A) OF THE 1976 CODE, RELATING TO ASSESSING THE PROPERTY OF MERCHANTS AND OTHER RELATED BUSINESSES, TO REQUIRE THE DEPARTMENT OF REVENUE TO FOLLOW CERTAIN NORTH AMERICAN CLASSIFICATION SYSTEM MANUAL PROVISIONS; AND TO REPEAL SECTION 12-39-70 OF THE 1976 CODE, RELATING TO APPRAISING AND ASSESSING THE PERSONAL PROPERTY OF BUSINESSES UNDER THE JURISDICTION OF THE COUNTY AUDITOR.

**S. 342--DEBATE ADJOURNED**

The following Bill was taken up:

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO

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PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

Rep. FINLAY moved to adjourn debate on the Bill until Wednesday, September 23, which was agreed to.

**S. 753--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 753 -- Senators Gambrell and Cash: A BILL TO AMEND SECTION 38-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE PREMIUM

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TAXES, SO AS TO TRANSFER ONE PERCENT OF THE REVENUES TO THE V-SAFE PROGRAM; AND TO TRANSFER CERTAIN FUNDS TO THE V-SAFE PROGRAM.

The Ways and Means Committee proposed the following Amendment No. 1 to S. 753 (COUNCIL\DG\753C001.NBD.DG20), which was adopted:

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

/ SECTION 2. Upon the effective date of this act, the State Treasurer shall transfer to the V-SAFE Program any funds in the aid to fire districts account that are attributable to insurance premium taxes credited to the account pursuant to Section 38-7-20.

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

Amend title to conform.

Rep. SOTTILE 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 106; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Brawley
Bryant	Burns	Calhoon
Chumley	Clary	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Haddon
Hardee	Hart	Henderson-Myers
Henegan	Herbkersman	Hewitt

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Hill	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
McCravy	McDaniel	McGinnis
McKnight	Morgan	D. C. Moss
V. S. Moss	Murphy	Norrell
Oremus	Ott	Parks
Pope	Ridgeway	Rivers
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinnakis
Stringer	Tallon	Taylor
Toole	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

**Total--106**

Those who voted in the negative are:

**Total--0**

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

**S. 1099--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 1099 -- Senators Talley, Shealy, Turner, Hutto, Sabb, Climer, McLeod, Gambrell, Johnson, Campsen, Scott, Williams and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-942, SO AS TO PROVIDE THAT A MANUFACTURER, BREWER, OR IMPORTER OF BEER SHALL NOT REQUEST OR REQUIRE THAT A WHOLESALER SUBMIT CERTAIN INFORMATION FOR BEER BRANDS NOT

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MANUFACTURED, BREWED, OR IMPORTED BY THE MANUFACTURER, BREWER, OR IMPORTER; SHALL NOT MANDATE CERTAIN EMPLOYMENT MATTERS; SHALL NOT REQUEST OR REQUIRE A WHOLESALER TO PAY BEER BRAND MARKETING OR ADVERTISING FUNDS; SHALL NOT SHIP, INVOICE, OR INITIATE PAYMENT FOR ANY QUANTITY OF BEER IN EXCESS OF THAT FORECAST BY A WHOLESALER OR FOR ANY POINT OF SALE ADVERTISING OR OTHER ITEMS IN EXCESS OF THAT SPECIFIED BY THE WHOLESALER; SHALL NOT ATTRIBUTE ANY FINANCIAL INTEREST TO A WHOLESALER FOR BEER NOT IN THE WHOLESALER'S POSSESSION; SHALL NOT REQUEST OR REQUIRE A WHOLESALER TO PAY FOR CERTAIN MATTERS PERTAINING TO SOFTWARE OWNED OR MANDATED BY THE MANUFACTURER, BREWER, OR IMPORTER; AND SHALL NOT REQUIRE PAYMENT OF A PENALTY BY THE WHOLESALER FOR NONCOMPLIANCE WITH ANY REQUIREMENT OF THE MANUFACTURER, BREWER, OR IMPORTER, EXCLUDING CERTAIN FEES OR INTEREST.

Reps. HIOTT, G. R. SMITH, TRANTHAM, STRINGER, HADDON, BURNS, MAGNUSON, MORGAN, MARTIN, OREMUS, BLACKWELL, TAYLOR, HIXON, DANING, LONG, FORREST, BENNETT, JEFFERSON, MCCRAVY, ROSE, CASKEY, OTT, V. S. MOSS, KING, S. WILLIAMS, RIVERS, BRAWLEY and ANDERSON requested debate on the Bill.

**S. 217--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 217 -- Senators Kimpson, Campsen, Senn and Scott: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10 OF THE 1976 CODE, ALL RELATING TO THE EXPENDITURE OF THE STATE ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

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The Ways and Means Committee proposed the following Amendment No. 1 to S. 217 (COUNCIL\DG\217C001.NBD.DG20), which was adopted:

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

/ SECTION 1. Section 6-1-730(A) of the 1976 Code is amended by adding new items to read:

“(7) control and repair of flooding and drainage within or on tourism-related lands or areas; or

(8) site preparation for items in this section, including, but not limited to, demolition, repair, or construction.”

SECTION 2. Section 6-1-730 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“( ) If applying the provisions of subsection (A)(7), then the revenues must be expended exclusively on public works projects designed to eliminate or mitigate the adverse effects of recurrent nuisance flooding, including that which is attributable to sea-level rise, or other recurrent flooding. Such adverse effects include road closures and other transportation disruptions, storm-water drainage issues, and compromised public infrastructure. The public works projects must be within or on tourism-related lands or areas. Revenues must not be used to pay claims or otherwise settle litigation that may arise from time to time due to the harmful impacts of nuisance or other flooding.”

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

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. G. R. SMITH spoke in favor of the amendment.

The amendment was then adopted.

Rep. RUTHERFORD proposed the following Amendment No. 2 to S. 217 (COUNCIL\DG\217C002.NBD.DG20), which was tabled:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Section 6-1-730 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“( ) (1) If applying the provisions of subsection (A)(7), then the revenues must be expended exclusively on public works projects designed to eliminate or mitigate the adverse effects of recurrent

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nuisance flooding, including that which is attributable to sea-level rise, or other recurrent flooding. Such adverse effects include road closures and other transportation disruptions, storm-water drainage issues, and compromised public infrastructure. The public works projects must be within or on tourism-related lands or areas. Revenues must not be used to pay claims or otherwise settle litigation that may arise from time to time due to the harmful impacts of nuisance or other flooding.

(2) Before making expenditures authorized by subsection (A)(7), a local governing body must present the project and associated expenditures to a local hospitality tax panel. The panel shall consist of the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Majority Leader of the Senate, the Minority Leader of the Senate, the Majority Leader of the House, the Minority Leader of the House, and the Director of the Department of Parks, Recreation and Tourism. The members set forth heretofore may appoint a designee to serve in their place. Any vacancy on the panel must be filled by such members or their designee. A local governing body may only make expenditures authorized by subsection (A)(7) if the panel approves the project and expenditures. If a local governing body has ever adopted an ordinance or otherwise taken action that is considered to be unconstitutional or violative of any law, then the panel must reject all projects and expenditures associated with the local governing body. A local governing body may appeal a decision of the panel to the Administrative Law Court in the manner provided by law. All meetings of the panel shall adhere to the notice requirements of the Freedom of Information Act, and the local governing body seeking approval must provide notice on its website in the same manner. If any person protests the approval, then the case must be forwarded to the Administrative Law Court for adjudication.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. G. R. SMITH spoke against the amendment and moved to table the amendment, which was agreed to by a division vote of 42-38.

Rep. G. R. SMITH explained the Bill.

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Reps. KING, HILL, TOOLE, ROSE, MCDANIEL, HERBKERSMAN, HENDERSON-MYERS, CALHOON, HART, G. R. SMITH, HADDON, BALES, R. WILLIAMS, BRAWLEY, HOSEY and MCKNIGHT requested debate on the Bill.

**SPEAKER IN CHAIR**

**S. 259--REQUESTS FOR DEBATE**

The following Bill was taken up:

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.

The Ways and Means Committee proposed the following Amendment No. 1 to S. 259 (COUNCIL/SA\259C001.RT.SA20):

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

/ SECTION 1. A. Title 48 of the 1976 Code is amended by adding:

“CHAPTER 62

Disaster Relief and Resilience Act

Article 1

South Carolina Office of Resilience

Section 48-62-10. As used in this article:

(1) ‘Fund’ means the Disaster Relief and Resilience Reserve Fund.

(2) ‘Office’ means the South Carolina Office of Resilience.

Section 48-62-20. (A) There is created the South Carolina Office of Resilience. The office shall develop, implement, and maintain the

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Statewide Resilience Plan and shall coordinate statewide resilience and disaster recovery efforts, including coordination with federal, state, and local government agencies, stakeholders, and nongovernmental entities.

(B) Additionally, the South Carolina Disaster Recovery Office as established by Executive Order 2016-13 and included within the South Carolina Department of Administration by Executive Order 2018-59 is transferred to, and incorporated into, the South Carolina Office of Resilience.

(C) The office shall be governed by a Chief Resilience Officer who shall be appointed by the Governor, with the advice and consent of the General Assembly, with each house holding a separate confirmation vote. The Chief Resilience Officer shall serve at the pleasure of the Governor.

Section 48-62-30. To coordinate and strengthen efforts to reduce losses from future disasters across the State, the office shall develop, implement, and maintain a strategic Statewide Resilience Plan, which must include, but is not limited to:

(1) development and implementation of a Strategic Statewide Resilience and Risk Reduction Plan, which shall be developed in accordance with the principles recommended in the South Carolina Floodwater Commission Report and shall serve as framework to guide state investment in flood mitigation projects and the adoption of programs and policies to protect the people and property of South Carolina from the damage and destruction of extreme weather events. This plan shall be reviewed and revised at appropriate intervals determined by the Chief Resilience Officer and advisory agencies to assure that it continues to serve the health, safety, and welfare of the citizens of South Carolina over time. An initial version of this plan shall be completed by July 1, 2022, and shall, at minimum, include provisions that:

(a) describe known flood risks for each of the eight major watersheds of the State, as delineated in the Department of Health and Environmental Control's South Carolina Watershed Atlas;

(b) for each major watershed, examine present and potential losses associated with the occurrence of extreme weather events and other natural catastrophes in this State, and land management practices that potentiate extreme weather events, resulting in increased flooding, wildfires, and drought conditions;

(c) for each major watershed, identify data and information gaps that affect the capacity of state agencies or local governments to



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adequately evaluate and address the factors that increase flood risk, and recommend strategies to overcome such gaps;

(d) develop recommendations, at appropriate scale, including subwatershed or local governmental levels, to decrease vulnerabilities and adverse impacts associated with flooding. In developing these recommendations, the office shall, at a minimum, consider the following:

(i) the economic impact of best available projections related to the current and future risk of extreme weather events in this State including, but not limited to, the impact on forestry, agriculture, water, and other natural resources, food systems, zoning, wildlife, hunting, infrastructure, economic productivity and security, education, and public health;

(ii) the long-term costs, including ongoing operation and maintenance costs of specific projects or suites of flood mitigation projects and approaches;

(iii) opportunities to prioritize the role of nature-based solutions and other methods to restore the natural function of the floodplain;

(iv) possible cobenefits that may be achieved beyond flood reduction including, but not limited to, enhanced water supply, improvements in water quality, tourism and recreational opportunities, or protection of wildlife and aquatic resources;

(v) statutory or regulatory remedies for consideration by the General Assembly;

(vi) necessary state policies or responses, including alterations to state building codes and land use management, creation of additional programs or offices and directions for the provision of clear and coordinated services and support to reduce the impact of natural catastrophes and extreme weather events and increase resiliency in this State; and

(vii) potential financial resources available for increasing resiliency throughout The State;

(e) estimates of the number and cost of residential properties within the state for which a floodplain buyout may be appropriate;

(f) a strategy for providing resources, technical assistance, and other support to local governments for flood risk reduction action;

(g) plans for integrating recommended approaches to risk reduction into existing state strategies for hazard mitigation, environmental protection and economic opportunity and development;

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(h) opportunities for stakeholder input from citizens around the state;

(2) coordination of statewide disaster recovery efforts and activities and collaboration between federal, state, and local stakeholders;

(3) technical planning assistance for state and local governmental entities; and

(4) grants to institutions of higher education and other state and local governmental entities to conduct research related to resilience concerns specific to South Carolina.

Section 48-62-40. (A) To aid in the development of the Statewide Resilience Plan, there is created the Statewide Resilience Plan Advisory Committee. The committee must be composed of:

(1) the Director of the Department of Natural Resources, or his designee;

(2) the Director of the Department of Insurance, or his designee;

(3) a representative of the South Carolina Disaster Recovery Office appointed by the Chief Resilience Officer;

(4) the Commissioner of Agriculture, or his designee;

(5) the Director of the South Carolina Emergency Management Division, or his designee;

(6) the Executive Director of the Sea Grant Consortium, or his designee; and

(7) the Secretary of the Department of Commerce, or his designee.

(B) In addition to the members set forth in subsection (A), the Chief Resilience Office may add members to the advisory board as he deems necessary and proper. All governmental agencies must cooperate with advisory board to fulfill its mission.

Section 48-62-50. There is created in the State Treasury the Disaster Relief and Resilience Reserve Fund, which shall be separate and distinct from the general fund and all other reserve funds. Funds appropriated to the fund only may be used to develop, implement, and maintain the Statewide Resilience Plan, and for disaster relief assistance, hazard mitigation, and infrastructure improvements as set forth in this article. Interest accrued by the fund must remain in the fund and unexpended funds must be retained and carried forward to be used for the same purposes.

Section 48-62-60. (A) Following a federally declared disaster, the Disaster Relief and Resilience Reserve Fund may make available immediate disaster relief assistance to aid resilient rebuilding in affected

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communities with significant unmet needs. For purposes of this section, disaster relief assistance includes, but is not limited to:

- (1) financial assistance to state and local governmental entities to provide the nonfederal share for federal disaster assistance programs;
- (2) infrastructure repairs for homeowners and communities that are not eligible for Community Development Block Grant - Disaster Recovery and other federal funding assistance;
- (3) loans and grants to local governments in disaster areas that need immediate cash flow assistance;
- (4) grants to governmental entities and organizations exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code to repair or replace infrastructure or equipment damaged as a result of a natural disaster; and
- (5) financial assistance for verifiable losses of agricultural commodities due to a natural disaster.

(B) Activities completed using disaster relief assistance from the fund shall account for future risks and hazard exposure in order to rebuild in a manner that will reduce the exposure of the community to future hazards and reduce future losses, consistent with the implementation of the Statewide Resilience Plan.

(C) In order to qualify for disaster relief assistance, eligible fund recipients must apply to the office and meet all criteria set forth by the office.

Section 48-62-70. (A) To satisfy the purposes of removing residents from hazard areas, safeguarding property, and restoring the natural function of the floodplain, the Disaster Relief and Resilience Reserve Fund may be allocated to enable hazard mitigation and infrastructure improvements through loans and through a competitive grant process administered by the office. For purposes of this section, hazard mitigation and infrastructure improvements include, but are not limited to:

- (1) mitigation buyouts, relocations, and buyout assistance for homes, including multifamily units, not covered by Hazard Mitigation Grant Program;
- (2) gap funding related to buyouts in order to move residents out of floodplain hazard areas and restore or enhance the natural flood-mitigation capacity of functioning floodplains;
- (3) assistance to low- and moderate-income homeowners to help lower flood risk through flood insurance, structural and nonstructural mitigation projects, or other means; and

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(4) loans and grants to state and local governmental entities for hazard mitigation and infrastructure improvement projects.

(5) approved mitigation projects identified in local post-disaster recovery plans created and adopted prior to a disaster.

(B) Upon its creation, funding priority must be given to projects identified by the Statewide Resilience Plan or local hazard mitigation plans.

(C) In approving financial assistance for hazard mitigation and infrastructure improvement projects, the office shall ensure that selected projects are in compliance with requirements of the National Flood Insurance Program or any more stringent requirements adopted by a local government and shall give priority to projects which offer enhanced protection from future flood events or which utilize or incorporate natural features to achieve protections. Funds may not be used for projects which, rather than lowering risks overall, increase the flood vulnerabilities of neighboring areas.

(D) In order to qualify for hazard mitigation and infrastructure improvement grants and loans, eligible fund recipients must apply to the office and meet all criteria set forth by the office.

Article 3

South Carolina Resilience Revolving Fund

Section 48-62-310. As used in this article:

(1) 'Authority' means the South Carolina Disaster Recovery Office within the South Carolina Office of Resilience.

(2) 'Conservation easement' means an interest in real property as defined in Chapter 8, Title 27, the South Carolina Conservation Easement Act of 1991.

(3) 'Eligible fund recipient' means:

(a) the State of South Carolina and any agency, commission, or instrumentality of the State;

(b) local governments of the State and any agency, commission, or instrumentality of the local government; and

(c) land trusts operating within the State accredited by the Land Trust Accreditation Commission, an independent program of the Land Trust Alliance that provides independent verification that land trusts meet the high standards of land conservation, stewardship, and nonprofit management in the nationally recognized Land Trust Standards and Practices.

(4) 'Floodplain restoration' means any activity undertaken to reestablish the hydrology and ecology of the floodplain to its natural state.

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(5) ‘Fund’ means the South Carolina Resilience Revolving Fund.

(6) ‘Loan’ means a loan from the authority to an eligible fund recipient for the purpose of financing all or a portion of the cost of a project.

(7) ‘Loan agreement’ means a written agreement between the authority and a project sponsor with respect to a loan.

(8) ‘Loan obligation’ means a bond, note, or other evidence of obligation issued by a project sponsor to evidence its indebtedness under a loan agreement with respect to a loan.

(9) ‘Local government’ means any county, city, town, municipal corporation, authority, district, commission, or political subdivision created by the General Assembly or established pursuant to the laws of this State.

(10) ‘Multifamily residence’ means a building with multiple separate residential housing units.

(11) ‘Office’ means the South Carolina Office of Resilience.

(12) ‘Primary single family residence’ means a single detached dwelling that is occupied as the main home by the owners for the majority of the year.

(13) ‘Proposed project’ means a plan submitted to the authority by an eligible fund recipient for the use of loan funds.

(14) ‘Repetitive loss’ means a residence that sustained two or more incidents of weather-related flooding causing damages over one thousand dollars each within a period of ten consecutive years.

(15) ‘Restrictive covenant’ means a recorded covenant that imposes activity and use limitations on real property.

Section 48-62-320. There is created the South Carolina Resilience Revolving Fund. The fund is governed by the authority. The authority is a public instrumentality of this State, and the exercise by it of a power conferred in this article is the performance of an essential public function. The Director and staff of the South Carolina Disaster Recovery Office comprise the authority, under the supervision and review of the Chief Resilience Officer and the Governor.

Section 48-62-330. (A) With regard to the fund, the authority is authorized to:

(1) make and service below-market interest rate loans and grants as financial incentives to eligible fund recipients meeting the criteria of Section 48-62-50 for the purchase of flooded properties and land to complete floodplain restorations, so long as the loans advance the purposes of this article and meet applicable criteria;

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(2) enter into loan agreements and accept and enforce loan obligations, so long as the loans advance the purposes of this article and meet applicable criteria;

(3) receive and collect the inflow of payments on loan amounts;

(4) apply for and receive additional funding for the fund from federal, state, private, and other sources;

(5) receive charitable contributions and donations to the fund;

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

(7) make and execute contracts and all other instruments and agreements necessary or convenient for the performance of its duties and the exercise of its powers and functions;

(8) establish policies and procedures for the making and administration of loans, fiscal controls, and accounting procedures to ensure proper accounting and reporting; and

(9) exercise its discretion in determining what portion of funds must be disbursed and awarded in any particular year and what portion of funds shall remain in the fund from one fiscal year to the next. Sums within the fund must be invested or deposited into interest-bearing instruments or accounts, and the accrued interest must be credited to the fund.

(B) To carry out these functions, the authority shall:

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

(2) receive final approval from the State Fiscal Accountability Authority for fund disbursements prior to the issuance of a loan;

(3) develop additional guidelines and prescribe procedures, consistent with the criteria and purposes of this article;

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

(a) accounts for fund receipts and disbursements;

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

(c) describes recipients of fund loans and grant monies; and

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(d) sets forth a list and description of all loans and grants approved and all acquisitions of homes and lands obtained since the fund's inception; and

(5) have an annual audit of the fund conducted by outside independent certified public accountants and submitted to the Governor, Lieutenant Governor, State Treasurer, and General Assembly. The accounting of fund receipts and expenditures required above must be part of this annual audit.

Section 48-62-340. (A) In the issuing of loans, the authority must:

(1) prioritize the buyout of blocks or groups of homes rather than individual homes so that no more than fifteen percent of funds disbursed in a fiscal year go toward individual home buyouts;

(2) prioritize buyouts of single-family primary residences and multifamily residences;

(3) consider the availability of additional funding sources leveraged by a project;

(4) prevent the use of the fund for homes built after July 1, 2020;

(5) prevent the use of the fund for proposed projects that involve the use of eminent domain; and

(6) prioritize the use of the fund for low- and moderate -income households making less than one hundred twenty-five percent of the median household income in the jurisdiction of the eligible fund recipient.

(B) The authority must issue loans using the following criteria and conditions:

(1) offer a funding package of grants and loans for a particular project that carries an overall effective interest rate equivalent to no higher than forty percent of the market interest rate as defined by the ten-year United States Treasury Yield Curve;

(2) make a portion of each loan available as a grant not requiring payment as a financial incentive to reduce the loan amount, that portion being no greater than twenty-five percent and no less than five percent of the total project disbursement, to incrementally reward those eligible fund recipients that execute beneficial flood mitigation practices. To qualify for a grant, eligible fund recipients must execute one or more of the following beneficial flood mitigation practices:

(a) ensuring residents relocate outside of the floodplain;

(b) aiding residents in relocating outside of the floodplain and within the tax base;

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(c) aiding residents in relocating outside of the floodplain within an area designated as an opportunity zone;

(d) conducting floodplain restoration after the property is converted to open space to reestablish the full water storing benefits of the floodplain;

(e) completing a buyout of an area larger than ten acres; and

(f) other activities as deemed appropriate by the authority so long as they contribute to flood resilience in the community of the buyout;

(3) require that acquired properties are returned to open space and that all future development on the parcel is prohibited in perpetuity through easement or restrictive covenant; and

(4) prohibit the use of more than five hundred thousand dollars for each housing unit receiving loan funds.

(C) Eligible fund recipients may apply for loans from the fund to complete:

(1) buyouts of repetitive loss properties;

(2) buyouts of repetitive loss properties with land intended for floodplain restoration; and

(3) floodplain restoration in connection with buyouts funded through other mechanisms.

(D) In order to qualify for a loan, eligible fund recipients must apply to the authority and, at a minimum, meet the following criteria:

(1) for buyouts of repetitive loss properties:

(a) identify specific properties included in the proposed project;

(b) demonstrate how the properties qualify as repetitive loss properties;

(c) identify a plan and timeline for returning the property to open space within six months following the completion of the buyout and holding an easement or restrictive covenant on the land in perpetuity;

(d) complete an economic assessment to show the costs and benefits of the project; and

(e) identify any beneficial flood mitigation practices planned for the project;

(2) for buyouts of repetitive loss properties with land intended for floodplain restoration:

(a) identify specific properties included in the proposed project;

(b) demonstrate how the properties qualify as repetitive loss properties;



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(c) identify a plan and timeline for returning the property to open space within six months following the completion of the buyout and holding an easement or restrictive covenant on the land in perpetuity;

(d) complete an economic assessment to show the costs and benefits of the project;

(e) submit a plan for conducting floodplain restoration; and

(f) identify any additional beneficial flood mitigation practices planned for the project;

(3) for other floodplain restoration:

(a) submit a plan and timeline for conducting floodplain restoration;

(b) identify a plan and timeline for holding an easement or restrictive covenant on the land in perpetuity;

(c) complete an economic assessment to show the costs and benefits of the project; and

(d) identify any additional beneficial flood mitigation practices planned for the project; and

(4) any additional criteria required by external grants contributing to the fund.

(E) Financial criteria also must be met pursuant to the standards set by the authority. The authority may require additional criteria and exercise discretion in issuing loans.

Section 48-62-350. (A) The fund must be held and administered by the authority in accordance with the provisions of this article and policies, rules, regulations, directives, and agreements as may be promulgated or entered into by the authority pursuant to this article. Earnings on balances in the fund must be credited to the fund. Amounts remaining in the fund at the end of the fiscal year accrue only to the credit of the fund. Amounts in the fund must be available in perpetuity for the purpose of providing financial assistance in accordance with the provisions of this article.

(B) The authority is authorized to deposit the following into the fund:

(1) federal capitalization grants, awards, or other federal assistance received by the office for the purposes of the fund;

(2) funds appropriated by the General Assembly for deposit to the fund;

(3) payments received from a recipient in repayment of a loan;

(4) interest or other income earned on the investment of monies in the fund; and

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(5) additional monies made available from public or private sources for the purposes of which the fund has been established.

(C) Monies in the fund may only be used to:

(1) make loans to eligible fund recipients in accordance with the provisions of this article;

(2) earn interest on fund accounts; and

(3) provide for the program administration and project management activities of the fund.

(D) The authority may establish accounts and subaccounts within the fund as considered desirable to effectuate the purposes of this article.

Section 48-62-360. In addition to appropriations made by the General Assembly, the office shall seek out additional sources of funding to sustain the fund, including federal dollars from the Department of Housing and Urban Development Community Development Block Grant-Disaster Recovery appropriations. Additional appropriations to the fund may be requested from the General Assembly so as to expand the capabilities of the fund.

Section 48-62-370. The office may:

(1) promulgate regulations to effectuate the provisions of this article;

(2) establish an operational structure within its authority to administer the fund;

(3) develop priority systems that ensure consistency with the provisions of this article;

(4) prepare annual plans in accordance with this article;

(5) receive monies from the fund for program administration and project management activities of the fund; and

(6) hire staff and employ agents, advisers, consultants, and other employees, including attorneys, financial advisers, engineers, and other technical advisers, and public accountants and determine their duties and compensation.

Section 48-62-380. The provisions of this article must be liberally construed to the end that its beneficial purposes may be effectuated. No proceeding, notice, or approval is required for loan obligations by a project sponsor or instruments or the security for the loan obligation, except as provided in this article. If the provisions of this article are inconsistent with the provisions of any other law, whether general, special, or local, then the provisions of this article are controlling.”

B.(A) As set forth in Section 48-62-20(B), (C) the South Carolina Disaster Recovery Office as established by Executive Order 2016-13 and included within the South Carolina Department of Administration by

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Executive Order 2018-59 is transferred to, and incorporated into, the South Carolina Office of Resilience.

(B) The South Carolina Disaster Recovery Office, and to the extent necessary, the South Carolina Department of Administration, shall take all necessary actions to accomplish this transfer in accordance with any state and federal laws and regulations.

(C) The employees, authorized appropriations, and assets and liabilities of the South Carolina Disaster Recovery Office also are transferred to and become part of the South Carolina Office of Resilience.

(D) On the effective date of this act, all classified or unclassified personnel employed by the South Carolina Disaster Recovery Office, either by contract or by employment at will, and all permanent or temporary grant employees become employees of the South Carolina Office of Resilience, with the same compensation, classification, and grade level, as applicable.

(E) Any rules or regulations which have been promulgated by the South Carolina Disaster Recovery Office and any applicable contracts entered into by the South Carolina Disaster Recovery Office are continued in full force and effect.

SECTION 2. Section 6-29-510(D) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) a resiliency element that considers the impacts of flooding, high water, and natural hazards on individuals, communities, institutions, businesses, economic development, public infrastructure and facilities, and public health, safety and welfare. This element includes an inventory of existing resiliency conditions, promotes resilient planning, design and development, and is coordinated with adjacent and relevant jurisdictions and agencies. For the purposes of this item, ‘adjacent and relevant jurisdictions and agencies’ means those counties, municipalities, public service districts, school districts, public and private utilities, transportation agencies, and other public entities that are affected by or have planning authority over the public project. For the purposes of this item, ‘coordination’ means written notification by the local planning commission or its staff to adjacent and relevant jurisdictions and agencies of the proposed projects and the opportunity for adjacent and relevant jurisdictions and agencies to provide comment to the planning commission or its staff concerning the proposed projects. Failure of the planning commission or its staff to identify or notify an adjacent or relevant jurisdiction or agency does not invalidate the local comprehensive plan and does not give rise to a civil cause of action. This

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element shall be developed in coordination with all preceding elements and integrated into the goals and strategies of each of the other plan elements.”

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

Rep. BALLENTINE explained the amendment.

Reps. HILL, THAYER, CALHOON, WHITE, TOOLE, WOOTEN, CASKEY, MARTIN, HIXON, MAGNUSON, BURNS, HADDON, TRANTHAM and OTT requested debate on the Bill.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

#### **RECURRENCE TO THE MORNING HOUR**

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

#### **MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Tuesday, September 22, 2020

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Cromer, Gregory and Nicholson to the Committee of Conference on the part of the Senate on H. 3485:

H. 3485 -- Reps. Jefferson, R. Williams, Cobb-Hunter and Weeks: A BILL TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INCOME TAX CREDIT FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO REMOVE A PROVISION ALLOWING THE DEPARTMENT OF ARCHIVES AND HISTORY TO ESTABLISH FEES, TO PROVIDE THAT A TAXPAYER CLAIMING THE CREDIT MUST PAY A FEE TO THE DEPARTMENT OF ARCHIVES AND HISTORY FOR THE STATE HISTORIC PRESERVATION GRANT FUND, AND TO PROVIDE THAT THE DEPARTMENT SHALL DEVELOP AN APPLICATION PROCESS; AND TO AMEND

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SECTION 12-6-5060, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD THE DEPARTMENT OF ARCHIVES AND HISTORY.

Very Respectfully,  
President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Tuesday, September 22, 2020

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Hutto, Shealy and Young of the Committee of Free Conference on the part of the Senate on S. 194:

S. 194 -- Senators Shealy and Senn: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

Very respectfully,  
President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Tuesday, September 22, 2020

Mr. Speaker and Members of the House:

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The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 194:

S. 194 -- Senators Shealy and Senn: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

Very respectfully,  
President

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5601 -- Reps. Hosey, Clyburn, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoun, Caskey, Chellis, Chumley, Clary, 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, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW

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OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF PASTOR HARRIE THOMAS BARKER OF BARNWELL AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5602 -- Reps. Mack, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, 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, Magnuson, Martin, Matthews, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO POSTHUMOUSLY CONGRATULATE AND COMMEND JUNE BRUNSON WILLSON OF SUMMERVILLE FOR A LIFETIME OF OUTSTANDING AND MEANINGFUL ACHIEVEMENTS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5603 -- Reps. Bamberg, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox,

[HJ]

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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, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE HONORABLE PERRY M. BUCKNER III UPON THE OCCASION OF HIS RETIREMENT FROM THE FOURTEENTH JUDICIAL CIRCUIT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

The Resolution was adopted.

**STATEMENT BY REP. ALLISON**

Rep. ALLISON made a statement relative to Rep. FORRESTER'S service in the House.

**STATEMENT BY REP. FORRESTER**

Rep. FORRESTER made a statement relative to his service in the House.

**STATEMENT BY REP. CALHOON**

Rep. CALHOON made a statement relative to Rep. TOOLE'S service in the House.

**STATEMENT BY REP. TOOLE**

Rep. TOOLE made a statement relative to his service in the House.



**TUESDAY, SEPTEMBER 22, 2020**

**S. 426--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

S. 426 -- Senators Goldfinch and Sabb: A JOINT RESOLUTION TO TRANSFER FUNDS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION FOR A BOAT RAMP IN GEORGETOWN COUNTY TO THE DEPARTMENT OF NATURAL RESOURCES AND TO CREDIT SUCH FUNDS AS WATER RECREATIONAL RESOURCE FUNDS FOR GEORGETOWN COUNTY.

Rep. STAVRINAKIS moved to adjourn debate on the Joint Resolution, which was agreed to.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**S. 881--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 881 -- Senator Cromer: A BILL TO AMEND SECTION 38-9-200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REINSURANCE CREDITS, SO AS TO, AMONG OTHER THINGS, ADOPT THE RECIPROCAL JURISDICTION AMENDMENT FROM THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS (NAIC) MODEL LAW AND TO MAKE OTHER CONFORMING CHANGES; AND TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT A STATUTORY REFERENCE.

Rep. SPIRES explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Bryant
Burns	Calhoon	Caskey

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Chumley	Clary	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mack	Martin
Matthews	McCrary	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	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	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

**Total--109**

Those who voted in the negative are:

**Total--0**

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

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**S. 882--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 882 -- Senators Cromer and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PRIVATE FLOOD INSURANCE ACT" BY ADDING CHAPTER 101 TO TITLE 38 SO AS TO ADVANCE DIFFERENT FLOOD INSURANCE COVERAGES FOR THE BENEFIT OF CONSUMERS AND INSURERS.

Rep. SPIRES explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Brawley	Bryant	Calhoon
Caskey	Chumley	Clary
Clyburn	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Funderburk	Garvin	Gilliam
Govan	Haddon	Hardee
Henderson-Myers	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
McCravy	McGinnis	McKnight
Morgan	D. C. Moss	V. S. Moss
Murphy	Norrell	Oremus
Ott	Parks	Pope
Ridgeway	Rivers	Robinson

[HJ]

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Rose	Rutherford	Sandifer
Simrill	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**S. 579--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 579 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED RATE FILINGS FOR INSURERS, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE RATE INCREASES MAY NOT BE APPROVED FOR AN INSURER OR RATING ORGANIZATION WHO HAS BEEN GRANTED A RATE INCREASE IN THE PRECEDING SIX MONTHS.

Rep. SPIRES explained the Bill.

Reps. BAMBERG, WEEKS, BRAWLEY, GARVIN, PNDARVIS, ROSE, MCCRAVY, HILL, STAVRINAKIS, MCGINNIS, JOHNSON, TRANTHAM, STRINGER, B. COX, HADDON, MAGNUSON, CHUMLEY, LONG, WHEELER, THIGPEN and GILLIAM requested debate on the Bill.

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**S. 1071--AMENDED, REQUEST FOR DEBATE, AND  
ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1071 -- Senators Alexander, Talley, Grooms, Martin, Young, Peeler, Senn, Cash, Gambrell, Reese, Goldfinch, Fanning and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-9-197 SO AS TO ESTABLISH THE "FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN" TO PROVIDE A SUPPLEMENTAL INSURANCE POLICY UPON A FIREFIGHTER BEING DIAGNOSED WITH CANCER AND TO SET FORTH THE BENEFITS CONTAINED IN THE POLICY; AND TO AMEND SECTIONS 38-7-30 AND 38-7-35, RELATING TO THE TAX ON FIRE INSURERS AND THE EXPENDITURE OF THE TAX, SO AS TO FUND THE PLAN.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 to S. 1071 (COUNCIL\DG\1071C003.NBD.DG20), which was adopted:

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

/ SECTION 1. Article 1, Chapter 9, Title 23 of the 1976 Code is amended by adding:

“Section 23-9-197. (A) As used in this section:

(1) ‘Cancer’ includes malignant neoplasms of the following body areas and organ systems:

- (a) central and peripheral nervous system;
- (b) oropharyngeal;
- (c) respiratory tract;
- (d) gastrointestinal tract;
- (e) hepatobiliary;
- (f) solid organ and endocrine;
- (g) genitourinary and male reproductive;
- (h) GYN;
- (i) skin, soft tissue, and breast;
- (j) bone and blood.

(2) ‘Fire department’ means any organization located and based in this State that provides rescue, fire suppression, and related activities including any public or government-sponsored organizations, excluding federal agencies, engaged in rescue, fire suppression, and related activities.

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(3) 'Firefighter' means any person, paid or unpaid, who is a resident of this state and engages in rescue, fire suppression, or related activities, under the supervision of a fire chief or fire department in this State or who is employed by the State Commission of Forestry or a forestry district for the purpose of fire protection.

(B) There is established the 'Firefighter Cancer Health Care Benefit Plan' to provide a supplemental insurance policy upon a firefighter being diagnosed with cancer. The plan shall provide benefits to a firefighter only if the firefighter has served in a South Carolina fire department for at least five continuous years and been in active service within ten years of the diagnosis.

(C) the plan, upon diagnosis, must entitle an eligible firefighter to:

(1) a reimbursement of up to twelve thousand dollars annually to the firefighter for any out of pocket medical expenses including deductibles, copayments, or coinsurance costs incurred;

(2) a one-time benefit of twenty thousand dollars upon the firefighter's initial diagnosis; and

(3) a seventy-five thousand dollar death benefit for a firefighter who dies as a result of cancer or circumstances that arise out of the treatment of cancer. All of the benefits arising out of such death are available to the deceased firefighter's beneficiary.

(D)(1) The program must be established by and administered through the Office of the State Fire Marshal within the Department of Labor, Licensing and Regulation. In selecting the covering insurance policy, the State Fire Marshal must utilize a competitive bidding process amongst private insurers that have such policies available.

(2) Additionally, the State Fire Marshal shall identify best practices to establish employer cancer prevention as it relates to personal protective equipment, decontamination, fire suppression apparatus, and fire stations.

(3) By January first of each year, the State Fire Marshal shall prepare a report detailing the activity of the program in the previous fiscal year. The report shall include, but not be limited to: all expenses and costs associated with administration of the program, all inquiries and quotes received from prospective insurers, the number of eligible firefighters who qualify for coverage, the number of claims, and the amount and type of benefits paid. The report must be delivered to the Department of Insurance, the Senate Finance Committee, and the House Ways and Means Committee.

(E) Notwithstanding any other provision of this section, the implementation and operation of the Firefighter Cancer Health Care

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Benefit Plan and the benefits contained herein are contingent upon appropriate funding.”

SECTION 2. This act takes effect July 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Rep. SPIRES explained the amendment.

The amendment was then adopted.

Reps. HILL requested debate on the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Bryant
Burns	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss

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V. S. Moss	Murphy	W. Newton
Norrell	Oremus	Ott
Parks	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--108**

Those who voted in the negative are:  
Hill

**Total--1**

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. 1071. If I had been present, I would have voted in favor of the Bill.

Rep. Marvin Pendarvis

**S. 1263--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1263 -- Senator Sheheen: A BILL TO AMEND SECTION 7-7-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN KERSHAW COUNTY, SO AS TO MERGE THE EAST CAMDEN-HERMITAGE PRECINCT WITH THE CAMDEN 6 PRECINCT, WITH THE RESULTING COMBINED PRECINCT RETAINING THE NAME CAMDEN 6, TO MERGE THE GATES FORD PRECINCT WITH THE BUFFALO PRECINCT, WITH THE RESULTING COMBINED PRECINCT RETAINING THE NAME BUFFALO, AND TO UPDATE

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

Rep. FUNDERBURK explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Burns	Calhoon
Caskey	Chumley	Clary
Cogswell	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Herbkersman
Hewitt	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lucas
Magnuson	Martin	Matthews
McCrary	McDaniel	McGinnis
McKnight	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
W. Newton	Norrell	Oremus
Ott	Parks	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Simrill
G. M. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White

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Whitmire  
Willis

R. Williams  
Wooten

S. Williams  
Yow

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**S. 217--REQUESTS FOR DEBATE WITHDRAWN**

Reps. MCKNIGHT, HOSEY, G. R. SMITH, KING, MCDANIEL, BRAWLEY, HERBKERSMAN, HENDERSON-MYERS, R. WILLIAMS and ROSE withdrew their requests for debate on S. 217; however, other requests for debate remained on the Bill.

**S. 259--REQUESTS FOR DEBATE WITHDRAWN ,  
AMENDED, AND ORDERED TO THIRD READING**

Upon the withdrawal of requests for debate by Reps. OTT, THAYER, CALHOON, CASKEY, WOOTEN, MARTIN, HIXON, TRANTHAM, BURNS and HADDON, the following Bill was taken up:

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.

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The Ways and Means Committee proposed the following Amendment No. 1 to S. 259 (COUNCIL\SA\259C001.RT.SA20), which was adopted:

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

/ SECTION 1. A. Title 48 of the 1976 Code is amended by adding:

“CHAPTER 62

Disaster Relief and Resilience Act

Article 1

South Carolina Office of Resilience

Section 48-62-10. As used in this article:

(1) ‘Fund’ means the Disaster Relief and Resilience Reserve Fund.

(2) ‘Office’ means the South Carolina Office of Resilience.

Section 48-62-20. (A) There is created the South Carolina Office of Resilience. The office shall develop, implement, and maintain the Statewide Resilience Plan and shall coordinate statewide resilience and disaster recovery efforts, including coordination with federal, state, and local government agencies, stakeholders, and nongovernmental entities.

(B) Additionally, the South Carolina Disaster Recovery Office as established by Executive Order 2016-13 and included within the South Carolina Department of Administration by Executive Order 2018-59 is transferred to, and incorporated into, the South Carolina Office of Resilience.

(C) The office shall be governed by a Chief Resilience Officer who shall be appointed by the Governor, with the advice and consent of the General Assembly, with each house holding a separate confirmation vote. The Chief Resilience Officer shall serve at the pleasure of the Governor.

Section 48-62-30. To coordinate and strengthen efforts to reduce losses from future disasters across the State, the office shall develop, implement, and maintain a strategic Statewide Resilience Plan, which must include, but is not limited to:

(1) development and implementation of a Strategic Statewide Resilience and Risk Reduction Plan, which shall be developed in accordance with the principles recommended in the South Carolina Floodwater Commission Report and shall serve as framework to guide state investment in flood mitigation projects and the adoption of programs and policies to protect the people and property of South Carolina from the damage and destruction of extreme weather events. This plan shall be reviewed and revised at appropriate intervals

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determined by the Chief Resilience Officer and advisory agencies to assure that it continues to serve the health, safety, and welfare of the citizens of South Carolina over time. An initial version of this plan shall be completed by July 1, 2022, and shall, at minimum, include provisions that:

(a) describe known flood risks for each of the eight major watersheds of the State, as delineated in the Department of Health and Environmental Control's South Carolina Watershed Atlas;

(b) for each major watershed, examine present and potential losses associated with the occurrence of extreme weather events and other natural catastrophes in this State, and land management practices that potentiate extreme weather events, resulting in increased flooding, wildfires, and drought conditions;

(c) for each major watershed, identify data and information gaps that affect the capacity of state agencies or local governments to adequately evaluate and address the factors that increase flood risk, and recommend strategies to overcome such gaps;

(d) develop recommendations, at appropriate scale, including subwatershed or local governmental levels, to decrease vulnerabilities and adverse impacts associated with flooding. In developing these recommendations, the office shall, at a minimum, consider the following:

(i) the economic impact of best available projections related to the current and future risk of extreme weather events in this State including, but not limited to, the impact on forestry, agriculture, water, and other natural resources, food systems, zoning, wildlife, hunting, infrastructure, economic productivity and security, education, and public health;

(ii) the long-term costs, including ongoing operation and maintenance costs of specific projects or suites of flood mitigation projects and approaches;

(iii) opportunities to prioritize the role of nature-based solutions and other methods to restore the natural function of the floodplain;

(iv) possible cobenefits that may be achieved beyond flood reduction including, but not limited to, enhanced water supply, improvements in water quality, tourism and recreational opportunities, or protection of wildlife and aquatic resources;

(v) statutory or regulatory remedies for consideration by the General Assembly;

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(vi) necessary state policies or responses, including alterations to state building codes and land use management, creation of additional programs or offices and directions for the provision of clear and coordinated services and support to reduce the impact of natural catastrophes and extreme weather events and increase resiliency in this State; and

(vii) potential financial resources available for increasing resiliency throughout The State;

(e) estimates of the number and cost of residential properties within the state for which a floodplain buyout may be appropriate;

(f) a strategy for providing resources, technical assistance, and other support to local governments for flood risk reduction action;

(g) plans for integrating recommended approaches to risk reduction into existing state strategies for hazard mitigation, environmental protection and economic opportunity and development;

(h) opportunities for stakeholder input from citizens around the state;

(2) coordination of statewide disaster recovery efforts and activities and collaboration between federal, state, and local stakeholders;

(3) technical planning assistance for state and local governmental entities; and

(4) grants to institutions of higher education and other state and local governmental entities to conduct research related to resilience concerns specific to South Carolina.

Section 48-62-40. (A) To aid in the development of the Statewide Resilience Plan, there is created the Statewide Resilience Plan Advisory Committee. The committee must be composed of:

(1) the Director of the Department of Natural Resources, or his designee;

(2) the Director of the Department of Insurance, or his designee;

(3) a representative of the South Carolina Disaster Recovery Office appointed by the Chief Resilience Officer;

(4) the Commissioner of Agriculture, or his designee;

(5) the Director of the South Carolina Emergency Management Division, or his designee;

(6) the Executive Director of the Sea Grant Consortium, or his designee; and

(7) the Secretary of the Department of Commerce, or his designee.

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(B) In addition to the members set forth in subsection (A), the Chief Resilience Office may add members to the advisory board as he deems necessary and proper. All governmental agencies must cooperate with advisory board to fulfill its mission.

Section 48-62-50. There is created in the State Treasury the Disaster Relief and Resilience Reserve Fund, which shall be separate and distinct from the general fund and all other reserve funds. Funds appropriated to the fund only may be used to develop, implement, and maintain the Statewide Resilience Plan, and for disaster relief assistance, hazard mitigation, and infrastructure improvements as set forth in this article. Interest accrued by the fund must remain in the fund and unexpended funds must be retained and carried forward to be used for the same purposes.

Section 48-62-60. (A) Following a federally declared disaster, the Disaster Relief and Resilience Reserve Fund may make available immediate disaster relief assistance to aid resilient rebuilding in affected communities with significant unmet needs. For purposes of this section, disaster relief assistance includes, but is not limited to:

(1) financial assistance to state and local governmental entities to provide the nonfederal share for federal disaster assistance programs;

(2) infrastructure repairs for homeowners and communities that are not eligible for Community Development Block Grant - Disaster Recovery and other federal funding assistance;

(3) loans and grants to local governments in disaster areas that need immediate cash flow assistance;

(4) grants to governmental entities and organizations exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code to repair or replace infrastructure or equipment damaged as a result of a natural disaster; and

(5) financial assistance for verifiable losses of agricultural commodities due to a natural disaster.

(B) Activities completed using disaster relief assistance from the fund shall account for future risks and hazard exposure in order to rebuild in a manner that will reduce the exposure of the community to future hazards and reduce future losses, consistent with the implementation of the Statewide Resilience Plan.

(C) In order to qualify for disaster relief assistance, eligible fund recipients must apply to the office and meet all criteria set forth by the office.

Section 48-62-70. (A) To satisfy the purposes of removing residents from hazard areas, safeguarding property, and restoring the

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natural function of the floodplain, the Disaster Relief and Resilience Reserve Fund may be allocated to enable hazard mitigation and infrastructure improvements through loans and through a competitive grant process administered by the office. For purposes of this section, hazard mitigation and infrastructure improvements include, but are not limited to:

(1) mitigation buyouts, relocations, and buyout assistance for homes, including multifamily units, not covered by Hazard Mitigation Grant Program;

(2) gap funding related to buyouts in order to move residents out of floodplain hazard areas and restore or enhance the natural flood-mitigation capacity of functioning floodplains;

(3) assistance to low- and moderate-income homeowners to help lower flood risk through flood insurance, structural and nonstructural mitigation projects, or other means; and

(4) loans and grants to state and local governmental entities for hazard mitigation and infrastructure improvement projects.

(5) approved mitigation projects identified in local post-disaster recovery plans created and adopted prior to a disaster.

(B) Upon its creation, funding priority must be given to projects identified by the Statewide Resilience Plan or local hazard mitigation plans.

(C) In approving financial assistance for hazard mitigation and infrastructure improvement projects, the office shall ensure that selected projects are in compliance with requirements of the National Flood Insurance Program or any more stringent requirements adopted by a local government and shall give priority to projects which offer enhanced protection from future flood events or which utilize or incorporate natural features to achieve protections. Funds may not be used for projects which, rather than lowering risks overall, increase the flood vulnerabilities of neighboring areas.

(D) In order to qualify for hazard mitigation and infrastructure improvement grants and loans, eligible fund recipients must apply to the office and meet all criteria set forth by the office.

Article 3

South Carolina Resilience Revolving Fund

Section 48-62-310. As used in this article:

(1) 'Authority' means the South Carolina Disaster Recovery Office within the South Carolina Office of Resilience.

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(2) ‘Conservation easement’ means an interest in real property as defined in Chapter 8, Title 27, the South Carolina Conservation Easement Act of 1991.

(3) ‘Eligible fund recipient’ means:

(a) the State of South Carolina and any agency, commission, or instrumentality of the State;

(b) local governments of the State and any agency, commission, or instrumentality of the local government; and

(c) land trusts operating within the State accredited by the Land Trust Accreditation Commission, an independent program of the Land Trust Alliance that provides independent verification that land trusts meet the high standards of land conservation, stewardship, and nonprofit management in the nationally recognized Land Trust Standards and Practices.

(4) ‘Floodplain restoration’ means any activity undertaken to reestablish the hydrology and ecology of the floodplain to its natural state.

(5) ‘Fund’ means the South Carolina Resilience Revolving Fund.

(6) ‘Loan’ means a loan from the authority to an eligible fund recipient for the purpose of financing all or a portion of the cost of a project.

(7) ‘Loan agreement’ means a written agreement between the authority and a project sponsor with respect to a loan.

(8) ‘Loan obligation’ means a bond, note, or other evidence of obligation issued by a project sponsor to evidence its indebtedness under a loan agreement with respect to a loan.

(9) ‘Local government’ means any county, city, town, municipal corporation, authority, district, commission, or political subdivision created by the General Assembly or established pursuant to the laws of this State.

(10) ‘Multifamily residence’ means a building with multiple separate residential housing units.

(11) ‘Office’ means the South Carolina Office of Resilience.

(12) ‘Primary single family residence’ means a single detached dwelling that is occupied as the main home by the owners for the majority of the year.

(13) ‘Proposed project’ means a plan submitted to the authority by an eligible fund recipient for the use of loan funds.

(14) ‘Repetitive loss’ means a residence that sustained two or more incidents of weather-related flooding causing damages over one thousand dollars each within a period of ten consecutive years.



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(15) 'Restrictive covenant' means a recorded covenant that imposes activity and use limitations on real property.

Section 48-62-320. There is created the South Carolina Resilience Revolving Fund. The fund is governed by the authority. The authority is a public instrumentality of this State, and the exercise by it of a power conferred in this article is the performance of an essential public function. The Director and staff of the South Carolina Disaster Recovery Office comprise the authority, under the supervision and review of the Chief Resilience Officer and the Governor.

Section 48-62-330. (A) With regard to the fund, the authority is authorized to:

(1) make and service below-market interest rate loans and grants as financial incentives to eligible fund recipients meeting the criteria of Section 48-62-50 for the purchase of flooded properties and land to complete floodplain restorations, so long as the loans advance the purposes of this article and meet applicable criteria;

(2) enter into loan agreements and accept and enforce loan obligations, so long as the loans advance the purposes of this article and meet applicable criteria;

(3) receive and collect the inflow of payments on loan amounts;

(4) apply for and receive additional funding for the fund from federal, state, private, and other sources;

(5) receive charitable contributions and donations to the fund;

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

(7) make and execute contracts and all other instruments and agreements necessary or convenient for the performance of its duties and the exercise of its powers and functions;

(8) establish policies and procedures for the making and administration of loans, fiscal controls, and accounting procedures to ensure proper accounting and reporting; and

(9) exercise its discretion in determining what portion of funds must be disbursed and awarded in any particular year and what portion of funds shall remain in the fund from one fiscal year to the next. Sums within the fund must be invested or deposited into interest-bearing instruments or accounts, and the accrued interest must be credited to the fund.

(B) To carry out these functions, the authority shall:

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- (1) operate a program in order to implement the purposes of this article;
- (2) receive final approval from the State Fiscal Accountability Authority for fund disbursements prior to the issuance of a loan;
- (3) develop additional guidelines and prescribe procedures, consistent with the criteria and purposes of this article;
- (4) submit an annual report to the Governor, Lieutenant Governor, State Treasurer, and General Assembly that:
  - (a) accounts for fund receipts and disbursements;
  - (b) briefly describes applications submitted to the fund and, in greater detail, describes grants and loans that were approved or funded during the current year and the public benefits, including increased flood retention resulting from such grants and loans;
  - (c) describes recipients of fund loans and grant monies; and
  - (d) sets forth a list and description of all loans and grants approved and all acquisitions of homes and lands obtained since the fund's inception; and
- (5) have an annual audit of the fund conducted by outside independent certified public accountants and submitted to the Governor, Lieutenant Governor, State Treasurer, and General Assembly. The accounting of fund receipts and expenditures required above must be part of this annual audit.

Section 48-62-340. (A) In the issuing of loans, the authority must:

- (1) prioritize the buyout of blocks or groups of homes rather than individual homes so that no more than fifteen percent of funds disbursed in a fiscal year go toward individual home buyouts;
- (2) prioritize buyouts of single-family primary residences and multifamily residences;
- (3) consider the availability of additional funding sources leveraged by a project;
- (4) prevent the use of the fund for homes built after July 1, 2020;
- (5) prevent the use of the fund for proposed projects that involve the use of eminent domain; and
- (6) prioritize the use of the fund for low- and moderate -income households making less than one hundred twenty-five percent of the median household income in the jurisdiction of the eligible fund recipient.

(B) The authority must issue loans using the following criteria and conditions:

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(1) offer a funding package of grants and loans for a particular project that carries an overall effective interest rate equivalent to no higher than forty percent of the market interest rate as defined by the ten-year United States Treasury Yield Curve;

(2) make a portion of each loan available as a grant not requiring payment as a financial incentive to reduce the loan amount, that portion being no greater than twenty-five percent and no less than five percent of the total project disbursement, to incrementally reward those eligible fund recipients that execute beneficial flood mitigation practices. To qualify for a grant, eligible fund recipients must execute one or more of the following beneficial flood mitigation practices:

(a) ensuring residents relocate outside of the floodplain;

(b) aiding residents in relocating outside of the floodplain and within the tax base;

(c) aiding residents in relocating outside of the floodplain within an area designated as an opportunity zone;

(d) conducting floodplain restoration after the property is converted to open space to reestablish the full water storing benefits of the floodplain;

(e) completing a buyout of an area larger than ten acres; and

(f) other activities as deemed appropriate by the authority so long as they contribute to flood resilience in the community of the buyout;

(3) require that acquired properties are returned to open space and that all future development on the parcel is prohibited in perpetuity through easement or restrictive covenant; and

(4) prohibit the use of more than five hundred thousand dollars for each housing unit receiving loan funds.

(C) Eligible fund recipients may apply for loans from the fund to complete:

(1) buyouts of repetitive loss properties;

(2) buyouts of repetitive loss properties with land intended for floodplain restoration; and

(3) floodplain restoration in connection with buyouts funded through other mechanisms.

(D) In order to qualify for a loan, eligible fund recipients must apply to the authority and, at a minimum, meet the following criteria:

(1) for buyouts of repetitive loss properties:

(a) identify specific properties included in the proposed project;

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(b) demonstrate how the properties qualify as repetitive loss properties;

(c) identify a plan and timeline for returning the property to open space within six months following the completion of the buyout and holding an easement or restrictive covenant on the land in perpetuity;

(d) complete an economic assessment to show the costs and benefits of the project; and

(e) identify any beneficial flood mitigation practices planned for the project;

(2) for buyouts of repetitive loss properties with land intended for floodplain restoration:

(a) identify specific properties included in the proposed project;

(b) demonstrate how the properties qualify as repetitive loss properties;

(c) identify a plan and timeline for returning the property to open space within six months following the completion of the buyout and holding an easement or restrictive covenant on the land in perpetuity;

(d) complete an economic assessment to show the costs and benefits of the project;

(e) submit a plan for conducting floodplain restoration; and

(f) identify any additional beneficial flood mitigation practices planned for the project;

(3) for other floodplain restoration:

(a) submit a plan and timeline for conducting floodplain restoration;

(b) identify a plan and timeline for holding an easement or restrictive covenant on the land in perpetuity;

(c) complete an economic assessment to show the costs and benefits of the project; and

(d) identify any additional beneficial flood mitigation practices planned for the project; and

(4) any additional criteria required by external grants contributing to the fund.

(E) Financial criteria also must be met pursuant to the standards set by the authority. The authority may require additional criteria and exercise discretion in issuing loans.

Section 48-62-350. (A) The fund must be held and administered by the authority in accordance with the provisions of this article and policies, rules, regulations, directives, and agreements as may be promulgated or entered into by the authority pursuant to this article.

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Earnings on balances in the fund must be credited to the fund. Amounts remaining in the fund at the end of the fiscal year accrue only to the credit of the fund. Amounts in the fund must be available in perpetuity for the purpose of providing financial assistance in accordance with the provisions of this article.

(B) The authority is authorized to deposit the following into the fund:

- (1) federal capitalization grants, awards, or other federal assistance received by the office for the purposes of the fund;
- (2) funds appropriated by the General Assembly for deposit to the fund;
- (3) payments received from a recipient in repayment of a loan;
- (4) interest or other income earned on the investment of monies in the fund; and
- (5) additional monies made available from public or private sources for the purposes of which the fund has been established.

(C) Monies in the fund may only be used to:

- (1) make loans to eligible fund recipients in accordance with the provisions of this article;
- (2) earn interest on fund accounts; and
- (3) provide for the program administration and project management activities of the fund.

(D) The authority may establish accounts and subaccounts within the fund as considered desirable to effectuate the purposes of this article.

Section 48-62-360. In addition to appropriations made by the General Assembly, the office shall seek out additional sources of funding to sustain the fund, including federal dollars from the Department of Housing and Urban Development Community Development Block Grant-Disaster Recovery appropriations. Additional appropriations to the fund may be requested from the General Assembly so as to expand the capabilities of the fund.

Section 48-62-370. The office may:

- (1) promulgate regulations to effectuate the provisions of this article;
- (2) establish an operational structure within its authority to administer the fund;
- (3) develop priority systems that ensure consistency with the provisions of this article;
- (4) prepare annual plans in accordance with this article;
- (5) receive monies from the fund for program administration and project management activities of the fund; and

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(6) hire staff and employ agents, advisers, consultants, and other employees, including attorneys, financial advisers, engineers, and other technical advisers, and public accountants and determine their duties and compensation.

Section 48-62-380. The provisions of this article must be liberally construed to the end that its beneficial purposes may be effectuated. No proceeding, notice, or approval is required for loan obligations by a project sponsor or instruments or the security for the loan obligation, except as provided in this article. If the provisions of this article are inconsistent with the provisions of any other law, whether general, special, or local, then the provisions of this article are controlling.”

B.(A) As set forth in Section 48-62-20(B), (C) the South Carolina Disaster Recovery Office as established by Executive Order 2016-13 and included within the South Carolina Department of Administration by Executive Order 2018-59 is transferred to, and incorporated into, the South Carolina Office of Resilience.

(B) The South Carolina Disaster Recovery Office, and to the extent necessary, the South Carolina Department of Administration, shall take all necessary actions to accomplish this transfer in accordance with any state and federal laws and regulations.

(C) The employees, authorized appropriations, and assets and liabilities of the South Carolina Disaster Recovery Office also are transferred to and become part of the South Carolina Office of Resilience.

(D) On the effective date of this act, all classified or unclassified personnel employed by the South Carolina Disaster Recovery Office, either by contract or by employment at will, and all permanent or temporary grant employees become employees of the South Carolina Office of Resilience, with the same compensation, classification, and grade level, as applicable.

(E) Any rules or regulations which have been promulgated by the South Carolina Disaster Recovery Office and any applicable contracts entered into by the South Carolina Disaster Recovery Office are continued in full force and effect.

SECTION 2. Section 6-29-510(D) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) a resiliency element that considers the impacts of flooding, high water, and natural hazards on individuals, communities, institutions, businesses, economic development, public infrastructure and facilities, and public health, safety and welfare. This element includes an inventory of existing resiliency conditions, promotes

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resilient planning, design and development, and is coordinated with adjacent and relevant jurisdictions and agencies. For the purposes of this item, ‘adjacent and relevant jurisdictions and agencies’ means those counties, municipalities, public service districts, school districts, public and private utilities, transportation agencies, and other public entities that are affected by or have planning authority over the public project. For the purposes of this item, ‘coordination’ means written notification by the local planning commission or its staff to adjacent and relevant jurisdictions and agencies of the proposed projects and the opportunity for adjacent and relevant jurisdictions and agencies to provide comment to the planning commission or its staff concerning the proposed projects. Failure of the planning commission or its staff to identify or notify an adjacent or relevant jurisdiction or agency does not invalidate the local comprehensive plan and does not give rise to a civil cause of action. This element shall be developed in coordination with all preceding elements and integrated into the goals and strategies of each of the other plan elements.”

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

Rep. BALLENTINE spoke in favor of the amendment.  
The amendment was then adopted.

The question recurred to the passage of the Bill.

Rep. HILL, requested that pursuant to Article III, Section 18 of the Constitution of South Carolina, 1895, the Reading Clerk read the provisions of the Bill.

Rep. HILL spoke against the Bill.

The yeas and nays were taken resulting as follows:  
Yeas 65; Nays 35

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Ballentine	Bamberg	Bannister
Bernstein	Blackwell	Brawley
Clary	Clyburn	Cogswell
Crawford	Dillard	Elliott

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Erickson	Finlay	Fry
Funderburk	Garvin	Govan
Henderson-Myers	Herbkersman	Hewitt
Hosey	Huggins	Hyde
Jordan	Kirby	Lowe
Lucas	Mack	Martin
Matthews	McGinnis	McKnight
Moore	Murphy	W. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	Sottile	Spires
Stavrinakis	Taylor	Thigpen
Weeks	Wetmore	Wheeler
R. Williams	S. Williams	Willis
Wooten	Yow	

**Total--65**

Those who voted in the negative are:

Allison	Bennett	Bradley
Bryant	Burns	Calhoon
Caskey	Chumley	B. Cox
Daning	Davis	Forrest
Forrester	Gagnon	Gilliam
Haddon	Hill	Hiott
Hixon	Jefferson	Jones
Kimmons	Long	Magnuson
McCrary	Morgan	D. C. Moss
V. S. Moss	Oremus	G. R. Smith
Tallon	Thayer	Trantham
White	Whitmire	

**Total--35**

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



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**STATEMENT FOR JOURNAL**

September 22, 2020  
Charles Reid, Clerk  
South Carolina House of Representatives

Dear Mr. Reid,

I am notifying you that I did not participate in the vote on S. 259, a bill known as "The SC Resilience Revolving Fund Act." In accordance with Section 8-13-700(B) of the SC Code, I recused myself from voting on the the bill because of a potential conflict of interest due to an economic interest of myself, my family member as defined in Section 8-13-100(15)(a), or an individual or business with which I am associated may be affected. Please note this in the House Journal for September 22, 2020.

Rep. Westley P. Cox

**S. 163--RECALLED FROM COMMITTEE ON EDUCATION  
AND PUBLIC WORKS**

On motion of Rep. BENNETT, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works:

S. 163 -- Senator Bennett: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 148, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "AIR MEDAL" SPECIAL LICENSE PLATES.

**OBJECTION TO RECALL**

Rep. B. COX asked unanimous consent to recall S. 293 from the Committee on Judiciary.

Rep. BRAWLEY objected.

**S. 1048--RECALLED FROM COMMITTEE ON JUDICIARY**

On motion of Rep. HIOTT, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

S. 1048 -- Senators Rice, Rankin, Campbell and Alexander: A BILL TO AMEND SECTION 13-1-1030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERS SERVING ON THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT

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A RESIDENT COMMISSION MEMBER MAY NOT SERVE FOR MORE THAN TWO CONSECUTIVE TERMS; AND TO AMEND SECTION 13-1-1050, RELATING TO THE TERMS OF THE AERONAUTICS COMMISSION, SO AS TO MAKE CONFORMING CHANGES.

**S. 1068--RECALLED FROM COMMITTEE ON AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS**

On motion of Rep. HIOTT, with unanimous consent, the following Bill was ordered recalled from the Committee on Agriculture, Natural Resources and Environmental Affairs:

S. 1068 -- Senator Campsen: A BILL TO AMEND SECTION 50-1-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF BIRDS, ANIMALS, AND FISH, SO AS TO CLASSIFY CERTAIN BIRDS AS MIGRATORY WATERFOWL; TO REPEAL SECTION 50-11-20 RELATING TO THE MIGRATORY WATERFOWL COMMITTEE; AND TO REPEAL SECTION 50-9-670 RELATING TO MIGRATORY WATERFOWL PERMITS.

**OBJECTION TO RECALL**

Rep. MAGNUSON asked unanimous consent to recall S. 1201 from the Committee on Judiciary.

Rep. KING objected.

**H. 3755--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 3755 -- Reps. Sandifer, Spires and Anderson: A BILL TO AMEND SECTION 38-77-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO AUTOMOBILE INSURANCE COVERAGE, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR THE RENEWAL OF AN AUTOMOBILE COVERAGE POLICY AND TO DEFINE THE TERM "REDUCTION IN COVERAGE"; AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO RENEW A POLICY, SO AS TO ALLOW FOR AN INSURER TO RENEW A POLICY

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WITH A REDUCTION IN COVERAGE AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE REDUCTION IN COVERAGE.

Reps. W. NEWTON, BRADLEY, ERICKSON, HERBKERSMAN, RIVERS and S. WILLIAMS proposed the following Amendment No. 1A to H. 3755 (COUNCIL\AHB\3755C002.BH.AHB20), which was adopted:

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

/ SECTION \_\_\_\_ . A. Notwithstanding any other provision of law, if real property was sold at a delinquent tax sale in 2019 and the twelve-month redemption period has not expired as of the effective date of this section, then the redemption period for the real property is extended for twelve additional months. If the property is redeemed during the twelve-month extension, additional interest shall accrue in the same manner and rate as interest accrues in the original redemption period, as set forth in Section 12-51-90(B). The provisions of Chapter 51, Title 12 of the 1976 Code, must be administered to account for the additional twelve months, mutatis mutandis, including, but not limited to, the extension of affected deadlines.

B. This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. W. NEWTON explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 2

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	B. Cox	Crawford
Daning	Davis	Dillard

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Elliott	Erickson	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mack	Magnuson
Martin	Matthews	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	W. Newton
Norrell	Oremus	Ott
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

**Total--103**

Those who voted in the negative are:

Hill Jones

**Total--2**

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

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**H. 4327--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 4327 -- Reps. R. Williams, Jefferson, Ott, Magnuson, Chumley and Burns: A BILL TO AMEND SECTION 6-9-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INAPPLICABILITY OF CERTAIN BUILDING CODES ON FARM STRUCTURES, SO AS TO REVISE THE DEFINITION OF "FARM STRUCTURE" FOR PURPOSES OF THIS SECTION.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Govan
Haddon	Hardee	Henderson-Myers
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mack	Magnuson
Martin	Matthews	McCrary
McDaniel	McGinnis	Moore

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Morgan	D. C. Moss	V. S. Moss
Murphy	W. Newton	Norrell
Oremus	Ott	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

**Total--106**

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. 5149--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 5149 -- Reps. Forrest, Clyburn and Ott: A BILL TO AMEND SECTION 7-7-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SALUDA COUNTY, SO AS TO ELIMINATE FIVE VOTING 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. SANDIFER explained the Senate Amendments.

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The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Cogswell	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Govan	Haddon	Hardee
Henderson-Myers	Herbkersman	Hewitt
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Mack	Magnuson	Martin
Matthews	McCrary	McDaniel
McGinnis	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
W. Newton	Norrell	Oremus
Ott	Parks	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--102**

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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. 4831--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 4831 -- Reps. Hixon, Ligon, B. Newton, Forrest, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-15-15 SO AS TO PROHIBIT CERTAIN ACTIVITIES RELATED TO THIS STATE'S NATIVE REPTILE AND AMPHIBIAN SPECIES AND TO REQUIRE THE ESTABLISHMENT OF POSSESSION LIMITS; BY ADDING SECTION 50-15-55 SO AS TO PROHIBIT THE RELEASE OF NONNATIVE CAPTIVE WILDLIFE IN THIS STATE; TO AMEND SECTION 50-15-10, RELATING TO DEFINITIONS, SO AS TO DEFINE NEW TERMS AND EXPAND THE TERM "NONGAME SPECIES" TO INCLUDE ANIMAL PARTS, PRODUCTS, EGGS, AND OFFSPRING; TO AMEND SECTION 50-15-30, RELATING TO THE LISTING OF ENDANGERED SPECIES, SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT THE REVIEW OF THE STATE LIST OF ENDANGERED SPECIES; TO AMEND SECTION 50-15-40, RELATING TO THE ESTABLISHMENT OF WILDLIFE MANAGEMENT PROGRAMS, SO AS TO AUTHORIZE THE DEPARTMENT TO ESTABLISH WILDLIFE MANAGEMENT PROGRAMS; TO AMEND SECTION 50-15-80, RELATING TO PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS, SO AS TO GRANT CONCURRENT JURISDICTION OVER THESE VIOLATIONS TO MAGISTRATES COURTS, TO INCREASE MONETARY PENALTIES, AND TO PROVIDE FOR THE REVOCATION OF PERMITS GRANTED TO A PERSON WHO VIOLATES CERTAIN PROVISIONS; AND TO AMEND SECTION 50-15-310, RELATING TO DEFINITIONS APPLICABLE TO THE SOUTH CAROLINA CAPTIVE ALLIGATOR PROPAGATION ACT, SO AS TO ALTER THE



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**DEFINITIONS OF THE TERMS "ALLIGATOR PROPAGATION FACILITY" AND "COMMERCIAL PURPOSES".**

Rep. HIXON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Calhoon
Caskey	Chumley	Clary
Clyburn	Cogswell	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliam	Haddon
Hardee	Henderson-Myers	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jordan	Kimmons	King
Kirby	Long	Lowe
Lucas	Mack	Magnuson
Martin	McCrary	McDaniel
McGinnis	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
W. Newton	Norrell	Oremus
Ott	Parks	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Trantham
Weeks	West	Wetmore

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Wheeler	Whitmire	R. Williams
S. Williams	Willis	Wooten

**Total--99**

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. 3351--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 3351 -- Reps. Jefferson, W. Newton, R. Williams and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60-11-102 SO AS TO PROVIDE FOR THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF THE DEPARTMENT OF ARCHIVES AND HISTORY TO ANOTHER PUBLIC OR NONPROFIT INSTITUTION BY GIFT OR SALE, TO PROVIDE FOR THE USE OF RESULTING PROCEEDS, AND TO PROVIDE ANNUAL REPORTING REQUIREMENTS; BY ADDING SECTION 60-11-103 SO AS TO PROVIDE FOR THE RETENTION AND USE BY THE DEPARTMENT OF ARCHIVES AND HISTORY OF CERTAIN PROCEEDS GENERATED BY ITS OPERATIONS; AND TO REPEAL SECTION 60-11-120 RELATING TO THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF DEPARTMENT OF ARCHIVES AND HISTORY.

Rep. JEFFERSON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

[HJ]

**TUESDAY, SEPTEMBER 22, 2020**

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Daning
Davis	Dillard	Elliott
Erickson	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Govan	Haddon	Hardee
Henderson-Myers	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mack	Magnuson
Martin	Matthews	McCray
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	W. Newton
Norrell	Oremus	Ott
Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

**Total--106**

**TUESDAY, SEPTEMBER 22, 2020**

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.

**STATEMENT FOR JOURNAL**

As H. 3351 implements recommendations arising from the House Legislative Oversight Committee's study of the Department of Archives and History, I support its passage.

Rep. Wm. Weston Newton

**S. 1233--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 1233 -- Senator J. Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 178 AND UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY "GEORGE BAILEY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**RECURRENCE TO THE MORNING HOUR**

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

**S. 993--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Tuesday, September 22, 2020

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 993:

[HJ]

**TUESDAY, SEPTEMBER 22, 2020**

S. 993 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-555, SO AS TO PROVIDE FOR A PERMIT ALLOWING LICENSED WINERIES, BREWERIES, AND MICRO-DISTILLERIES TO SELL THEIR WINE, BEER, AND ALCOHOLIC LIQUORS AT FESTIVALS AND TO PROVIDE SAMPLES OF THESE PRODUCTS AT FESTIVALS; BY ADDING SECTION 61-4-721, SO AS TO PERMIT LICENSED WINERIES TO OBTAIN WINERY FESTIVAL PERMITS IN ACCORDANCE WITH SECTION 61-4-555; BY ADDING SECTION 61-4-970, SO AS TO PERMIT LICENSED BREWERIES TO OBTAIN BREWERY FESTIVAL PERMITS IN ACCORDANCE WITH SECTION 61-4-555; AND BY ADDING SECTION 61-6-1155, SO AS TO PERMIT LICENSED MICRO-DISTILLERIES TO OBTAIN MICRO-DISTILLERY FESTIVAL PERMITS IN ACCORDANCE WITH SECTION 61-4-555.

Very respectfully,  
President

On motion of Rep. SIMRILL, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. MCCRAVY, G. M. SMITH and STAVRINAKIS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 545--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

S. 545 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-335(A) OF THE 1976 CODE, RELATING TO ASSESSING THE PROPERTY OF MERCHANTS AND OTHER RELATED BUSINESSES, TO REQUIRE THE DEPARTMENT OF REVENUE TO FOLLOW CERTAIN NORTH AMERICAN CLASSIFICATION SYSTEM MANUAL PROVISIONS; AND TO REPEAL SECTION 12-39-70 OF THE 1976 CODE, RELATING TO APPRAISING AND ASSESSING THE PERSONAL PROPERTY OF BUSINESSES UNDER THE JURISDICTION OF THE COUNTY AUDITOR.

[HJ]

**TUESDAY, SEPTEMBER 22, 2020**

Rep. SIMRILL explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Calhoon
Caskey	Chumley	Clary
Clyburn	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Haddon	Hardee
Henderson-Myers	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Lowe	Mack
Magnuson	Martin	Matthews
McCravy	McDaniel	McGinnis
McKnight	Morgan	D. C. Moss
V. S. Moss	W. Newton	Oremus
Ott	Parks	Pendarvis
Ridgeway	Rivers	Robinson
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

**Total--98**

[HJ]

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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.

**S. 207--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

S. 207 -- Senator Young: A BILL TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.

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

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon

[HJ]

**TUESDAY, SEPTEMBER 22, 2020**

Garvin	Gilliam	Govan
Haddon	Hardee	Henderson-Myers
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mack	Magnuson
Martin	Matthews	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	W. Newton	Oremus
Ott	Parks	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rutherford	Sandifer
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

**Total--104**

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.

**HOUSE RESOLUTION**

The following was introduced:

H. 5604 -- Reps. Ott, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox,

[HJ]



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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, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, 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, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE AND HONOR PASTOR MARK J. CALL, SR., AND FIRST LADY PATRICIA FORD CALL ON ELEVEN YEARS OF GOSPEL MINISTRY AT FIRST ASSEMBLY OF GOD IN ST. MATTHEWS AND TO WISH THEM GOD'S RICHEST BLESSINGS AS THEY CONTINUE TO SERVE THE LORD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5605 -- Reps. White, Thayer, Gagnon, W. Cox, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, 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, 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, Thigpen, Toole, Trantham, Weeks, West, Wetmore, Wheeler, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE

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RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MELBA IRENE BLACKMON COOPER OF PIEDMONT AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1281 -- Senators McElveen, Johnson, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, AUGUST 10, 2021 AS "JA MORANT DAY" IN SOUTH CAROLINA IN HONOR OF THIS OUTSTANDING ATHLETE AND TO CONGRATULATE HIM FOR BEING NAMED THE 2020 NBA ROOKIE OF THE YEAR.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1282 -- Senators McElveen, Sheheen, McLeod, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Talley, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO CONGRATULATE AND RECOGNIZE HAROLD BROWN, CHIEF OF THE ELGIN POLICE DEPARTMENT, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-SEVEN YEARS OF EXEMPLARY SERVICE, AND TO HONOR HIS

**TUESDAY, SEPTEMBER 22, 2020**

DEDICATION TO PROTECTING THE CITIZENS OF THE ELGIN COMMUNITY.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**S. 426--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 426 -- Senators Goldfinch and Sabb: A JOINT RESOLUTION TO TRANSFER FUNDS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION FOR A BOAT RAMP IN GEORGETOWN COUNTY TO THE DEPARTMENT OF NATURAL RESOURCES AND TO CREDIT SUCH FUNDS AS WATER RECREATIONAL RESOURCE FUNDS FOR GEORGETOWN COUNTY.

The Ways and Means Committee proposed the following Amendment No. 1 to S. 426 (COUNCIL\DG\426C003.NBD.DG20), which was tabled:

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

/ PART I

Expenditure Authorizations and Reimbursement

SECTION 1. The State of South Carolina received funds from the federal "Coronavirus Aid, Relief, and Economic Security Act" (hereinafter referred to as the CARES Act). A portion of those funds have been reimbursed for authorized expenditures pursuant to Act 142 of 2020. The source of revenue authorized for expenditure and reimbursement in SECTION 3 is the remaining portion of the CARES Act funds that remain on deposit in the Coronavirus Relief Fund established and maintained by the Executive Budget Office pursuant to Act 135 of 2020.

SECTION 2. (A) Unless specified otherwise in this act, the expenditure authorizations contained in SECTION 3(A), (C), and (F) are supplemental to the expenditure authorizations for the same purposes as contained in Act 142 of 2020. The remaining expenditure authorizations contained in SECTION 3 are for the maximum amounts that may be reimbursed by the Executive Budget Office from the Coronavirus Relief Fund.

(B) State agencies, institutions of higher education, including not for profit independent colleges and universities, historically black

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colleges and universities, and technical colleges, counties, municipalities, and special purpose districts shall maximize the use of federal funds made available in this act wherever possible within the allowable uses. If any reimbursement to any recipient, or subrecipient, resulting from an authorization contained herein is disallowed by federal law, then the recipient or subrecipient shall promptly return the funds disbursed to the Executive Budget Office for deposit in the Coronavirus Relief Fund.

SECTION 3. State agencies and higher education institutions are authorized to expend federal funds in the Coronavirus Relief Fund if the expenditure is in compliance with the CARES Act.

The Executive Budget Office is authorized to reimburse from the Coronavirus Relief Fund, up to the amounts listed below in each category, expenditures compliant with the CARES Act by the following sectors: state agencies, institutions of higher learning, including not for profit independent colleges and universities and historically black colleges and universities, counties, municipalities, and special purpose districts.

- (A) Department of Health and Environmental Control  
Statewide Testing and Monitoring \$ 73,022,613;
- (B) Medical University of South Carolina  
Statewide Testing \$ 20,150,000;
- (C) Department of Employment and Workforce  
Unemployment Trust Fund \$450,000,000;
- (D) Department of Administration  
Nonprofit Relief Program \$ 25,000,000;
- (E) Department of Administration  
Minority and Small Business  
Relief Program \$ 50,000,000;
- (F) Department of Administration  
State, Local Government, Not for Profit  
Independent Colleges and Universities  
and Historically Black Colleges and Universities  
\$130,000,000.

**Part II**

**Directives to Receiving Entities**

SECTION 4. The Department of Education is authorized to utilize unexpended authorizations contained in SECTION 3(B) of Act 142 of 2020 for the costs associated with the following:

(1) school safety measures taken in response to COVID-19 including, but not limited to, purchasing masks, gloves, wipes, hand

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sanitizer, face shields, cleaning solutions, plexiglass, and other cleaning equipment and supplies;

(2) additional expenses incurred by Virtual SC in response to COVID-19;

(3) hire or contract for school nurse services for those schools that do not have a full-time school nurse;

(4) tutoring, supplemental services, and support services to include services for unengaged students; interventionists; and after school learning extensions that prioritize face-to-face instruction focused on students with identified reading or math difficulties and students with IEPs to address deficits resulting from COVID-19;

(5) technology purchases of devices and connectivity equipment to support online learning resulting from COVID-19.

It is the intent of the General Assembly that reimbursements for item (1) - school safety measures - be the Department's first priority for reimbursement.

SECTION 5. State agencies may apply for reimbursement in a similar manner as set forth in SECTION 6 of Act 142 of 2020.

SECTION 6. (A) There is established through the SC CARES Grant Management Program a nonprofit entity reimbursement grant program. The program shall award grants to qualifying nonprofit entities to reimburse the qualifying nonprofit entity for some, or all, of the costs associated with two-months' payroll expenses incurred by the qualifying nonprofit entity before March 1, 2020. A qualifying nonprofit entity may receive a grant in an amount between two thousand five hundred dollars and twenty-five thousand dollars. Nonprofit entities must apply for grants no later than November 1, 2020.

(B)(1) Applications for grants shall be made to the panel established in item (2). An applicant shall provide the panel with information concerning the applicant's expenditures for which the applicant seeks a grant. Grants must be awarded for qualifying expenditures in amounts determined by the panel. The panel may award a grant only if the qualifying nonprofit entity experiences an interruption in business due to COVID-19. First, priority must be given to applicants that did not receive other assistance, such as a Paycheck Protection Program loan or other CARES funds. Then, priority must be given to applications for entities that provide: (1) food assistance, including prepared meals; (2) rent or mortgage assistance; (3) mental health counseling; (4) health care services and access to health care supplies; and (5) arts and cultural items or activities.

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(2)(a) Applications for grants shall be evaluated and awarded by a panel consisting of:

(i) the Director of the Department of Social Services, or his designee;

(ii) the Director of the Department of Mental Health, or his designee;

(iii) the Director of the Department of Consumer Affairs, or his designee;

(iv) the Director of the Department of Health and Human Services, or his designee;

(v) the Director of the Department of Alcohol and Other Drug Abuse Services, or his designee;

(vi) the Secretary of State, or his designee;

(vii) the Director of the South Carolina Arts Commission, or his designee; and

(viii) the Director of the Department of Archives and History, or his designee.

(b) The panel shall meet as often as is necessary to fulfill its obligations as provided herein. The panel may utilize remote technology for meetings or other activities as necessary. The Department of Administration shall assist with the coordination of the panel's meetings.

(c) The panel shall develop an application and establish criteria for the evaluation of applications that is consistent with the requirements contained herein, including the priorities identified in subsection (B)(1). During its evaluation of applications, the panel shall give consideration to the geographic distribution of services provided by the qualifying expenditures so that grants are awarded on a statewide basis.

(d) The Department of Administration shall provide staff support for the panel. The Department of Administration, in conjunction with SC CARES Act Grant Management Program, shall confirm that all reimbursement requests in the grant applications comply with federal CARES Act requirements.

(C) For the purposes of the nonprofit entity reimbursement grant program, 'qualifying nonprofit entity' means a 501(c)(3) with twenty-five or fewer employees that has been operating in South Carolina for at least six months prior to the Governor's initial COVID-19 state of emergency declaration on March 13, 2020.

SECTION 7. (A) There is established through the SC CARES Grant Management Program a minority and small business enterprise reimbursement grant program. The program shall award grants to

**TUESDAY, SEPTEMBER 22, 2020**

qualifying minority and small business enterprises to reimburse the qualifying business enterprise for some, or all, of the costs associated with qualifying expenditures incurred or expected to be incurred. A qualifying minority or small business enterprise may receive a grant in an amount up to twice its monthly payroll before COVID-19, including the owners draw, or twice its monthly rent or mortgage expenses before COVID-19, whichever is greater; however, the grant maximum is twenty-five thousand dollars. Additionally, if twice the monthly payroll or twice the monthly rent or mortgage expense of a qualifying business enterprise is less than five thousand dollars, then the qualifying business enterprise may be awarded a grant for qualifying expenses either incurred or expected to be incurred that, when added to the greater of twice its monthly payroll or rent or mortgage expense, is equal to at least five thousand dollars. Minority and small business enterprises must apply for grants no later than November 1, 2020.

(B)(1) Applications for grants must be made to the SC CARES Act Grant Management Program. An applicant shall provide the SC CARES Act Grant Management Program with evidence of business interruption due to COVID-19, the applicant's monthly payroll or rent or mortgage expense, and information concerning the applicant's expenditures for which the applicant seeks a grant. The grant manager shall evaluate grant applications to confirm that all reimbursement requests in the grant applications comply with federal CARES Act requirements and that the applicant has provided the necessary evidence and information. The grant manager also shall determine the total amount of the grant that the applicant is qualified to receive. Once the grant manager has made the appropriate confirmations and determinations, the application must be forward to the panel established in item (3).

(2) Grants may be awarded only if the qualifying minority or small business experiences an interruption in business due to COVID-19. Priority must be given to minority businesses, to applicants that did not receive other assistance, such as a Paycheck Protection Program loan or other CARES funds, to businesses with fifteen or fewer employees, and to businesses that demonstrate the greatest financial need.

(3)(a) Priorities must be assigned to minority and small business enterprises by a panel consisting of:

(i) the Director of the Commission for Minority Affairs, or his designee;

(ii) the Secretary of Commerce, or his designee; and

(iii) the Director of the Department of Revenue, or his designee.

**TUESDAY, SEPTEMBER 22, 2020**

(b) In addition to assigning priorities, the Panel also must make an initial determination of which applicants meet the definitions set forth in subsection (C). Once the panel has made such determinations and has assigned priorities, the Panel shall award grants in the amounts determined by the SC CARES Act Grant Management Program and in accordance with this SECTION.

(C) For the purposes of the minority and small business enterprise reimbursement grant program:

(1) 'Economically disadvantaged individuals' means those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged.

(2) 'Minority business enterprise' means a business with twenty-five or fewer employees that has been operating in South Carolina for at least six months prior to the Governor's initial COVID-19 state of emergency declaration on March 13, 2020, and is owned by an individual who is a United States citizen and who is economically and socially disadvantaged.

(3) 'Small business enterprise' means a business with twenty-five or fewer employees that has been operating in South Carolina for at least six months prior to the Governor's initial COVID-19 state of emergency declaration on March 13, 2020.

(4) 'socially disadvantaged individuals' means those individuals who are members of the following groups: African Americans; Hispanic Americans; Native Americans (including individuals recognized as American Indians, Eskimos, Aleuts, and Native Hawaiians), and Asian Pacific Americans.

SECTION 8. The funds authorized for the Department of Health and Environmental Control pursuant to SECTION 3(A) must be utilized in the manner prescribed for the Statewide Testing Plan established in SECTION 7 of Act 142 of 2020.

SECTION 9. The funds authorized for the Medical University of South Carolina pursuant to SECTION 3(B) for statewide testing shall be utilized to continue the Medical University's COVID-19 at-risk testing initiative.

SECTION 10. (A)(1) State agencies, public institutions of higher learning, counties, municipalities, and special purpose districts are authorized to apply for reimbursement of expenditures necessary for the response to the COVID-19 public health emergency, including expenses for law enforcement and first responders, incurred or are expected to be



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incurred, between July 1, 2020, and December 30, 2020. Up to \$5,000,000 may be used for Statewide Tourism Recovery Marketing and Destination Specific Tourism Recovery Marketing.

(2) Not for profit independent colleges and universities, including historically black colleges and universities, are authorized to apply for reimbursement of expenditures that were necessary for the response to the COVID-19 public health emergency, incurred or are expected to be incurred, between March 1, 2020, and December 30, 2020.

(B) If the Executive Budget Office determines that the amount of eligible expenditures through December 30, 2020, exceeds the remaining authorizations provided for in Act 142 of 2020 and Section 3(C) and (F) of this act, then the Executive Budget Office is authorized to prioritize the remaining reimbursements for expenses incurred as a result of COVID-19 in the following order:

(1) institutions of higher learning, institutions of higher learning, including not for profit independent colleges and universities, for expenses related to providing virtual and in-person educational services for students enrolled for the fall 2020 semester;

(2) state agencies;

(3) county governments;

(4) municipal governments; and

(5) special purpose districts.

SECTION 11. To ensure that the State of South Carolina maximizes the use of federal funds authorized through the Coronavirus Relief Fund, the Director of the Executive Budget Office is authorized to reallocate any unused authorization in a particular enumerated item in this act and in Act 142 of 2020 to any enumerated item for which approved reimbursements exceed the authorization. This reallocation may not be implemented prior to December 1, 2020. Should this condition be met in multiple authorizations, the Director shall reallocate any unused authorization according to the following prioritization:

(1) Department of Employment and Workforce - Unemployment Trust Fund;

(2) Department of Health and Environmental Control - Statewide Testing and Monitoring;

(3) Medical University of South Carolina - Statewide Testing;

(4) State Department of Education - Uses Authorized in SECTION 4 of this act;

(5) Department of Administration - State, Local Government, Not for Profit Independent Colleges and University Expenditures;

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(6) Department of Administration - Minority and Small Business Relief Program;

(7) Department of Administration - Nonprofit Relief Program;

(8) Department of Administration - Executive Budget Office Hospital Relief Program;

(9) Adjutant General - Emergency Management Division Personal Protective Equipment Stockpile and Supply Chain;

(10) Office of Regulatory Staff - Broadband Mapping and Planning, Infrastructure, and Mobile Hotspots.

SECTION 12. In order to address the extraordinary challenges facing Patriots Point Development Authority due to COVID-19, the Authority shall utilize the \$1,000,000 authorized by proviso 52.2 and the \$1,700,000 appropriated by proviso 118.16, Item (45), both of Act 91 of 2019, for agency operating expenses. The Department of Administration shall assist Patriots Point in the development of a long-term financial strategy and operational plan. The provisions of this SECTION shall remain in effect until replaced by a subsequent act of the General Assembly.

**PART III**

**Miscellaneous Provisions**

SECTION 13. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 14. The provisions of this act take effect upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH moved to table the amendment, which was agreed to.

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Reps. ANDERSON and HEWITT proposed the following Amendment No. 3 to S. 426 (COUNCIL\AHB\426C001.BH.AHB20), which was adopted:

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

/ SECTION 1. In the current fiscal year, the Department of Transportation must transfer to the Department of Natural Resources any funds remaining from the \$150,000 appropriation for the Sandy Island Boat Ramp in Georgetown County in Act 101 of 2013. Once transferred, the Department of Natural Resources shall credit the funds to the water recreational resource fund for Georgetown County. The crediting of such transferred funds must not be considered to be part of the annual allocation formula for water recreational resource funds.

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Re-number sections to conform.

Amend title to conform.

Rep. HEWITT 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 98; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Chumley	Clary
Clyburn	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Herbkersman
Hewitt	Hill	Hiott

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Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Lowe	Lucas	Mack
Magnuson	Martin	Matthews
McCravy	McDaniel	McGinnis
McKnight	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
W. Newton	Oremus	Ott
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Sandifer
Simrill	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

**Total--98**

Those who voted in the negative are:

**Total--0**

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

**S. 217--REQUESTS FOR DEBATE WITHDRAWN,  
AMENDED, AND ORDERED TO THIRD READING**

Upon the withdrawal of requests for debate by Reps. CALHOON and HADDON, the following Bill was taken up:

S. 217 -- Senators Kimpson, Campsen, Senn and Scott: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10 OF THE 1976 CODE, ALL RELATING TO THE EXPENDITURE OF THE STATE ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND

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REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

Reps. HERBKERSMAN, ERICKSON and W. NEWTON proposed the following Amendment No. 3 to S. 217 (COUNCIL\WAB\217C001.JN.WAB20), which was adopted:

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

/ Section \_\_\_\_ . Due to interruptions and delays in local government operations caused by the COVID-19 Pandemic, any local government that has a comprehensive plan due December 31, 2020 may delay submission of the plan until December 31, 2021. /

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN 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 87; Nays 15

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Caskey
Clary	Clyburn	Cobb-Hunter
Cogswell	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Govan
Hardee	Henderson-Myers	Herbkersman
Hixon	Hosey	Hyde
Jefferson	Johnson	Jordan
Kimmons	King	Ligon
Lowe	Lucas	Mack
Martin	Matthews	McDaniel

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McGinnis	McKnight	Moore
V. S. Moss	Murphy	W. Newton
Norrell	Oremus	Ott
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thigpen	Weeks
West	Wetmore	Wheeler
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--87**

Those who voted in the negative are:

Chumley	B. Cox	Gilliam
Haddon	Hill	Hiott
Huggins	Jones	Long
Magnuson	McCravy	Morgan
D. C. Moss	Trantham	White

**Total--15**

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

**STATEMENT FOR JOURNAL**

September 22, 2020  
Charles Reid, Clerk  
South Carolina House of Representatives

Dear Mr. Reid,

I am notifying you that I did not participate in the vote on S. 217, a bill which would ensure that if the revenues are used to control and repair of flooding and drainage at tourism-related lands or areas, the revenues must be expended exclusively on public works projects designed to eliminate or mitigate the adverse effects of recurrent nuisance tidal flooding. In accordance with Section 8-13-700(B) of the SC Code, I recused myself from voting on the the bill because of a potential conflict of interest due to an economic interest of myself, my family member as

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defined in Section 8-13-100(15)(a), or an individual or business with which I am associated may be affected. Please note this in the House Journal for September 22, 2020.

Rep. Westley P. Cox

**S. 293--RECALLED FROM COMMITTEE ON JUDICIARY**

On motion of Rep. B. COX, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

S. 293 -- Senators Cash, Corbin, Rice and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-31-232 SO AS TO PROVIDE A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS SECTION ONLY APPLIES DURING THE TIME THAT THE CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.

**OBJECTION TO RECALL**

Rep. BURNS asked unanimous consent to recall S. 1201 from the Committee on Judiciary.

Rep. MURPHY objected.

**OBJECTION TO RECALL**

Rep. BAMBERG asked unanimous consent to recall H. 4993 from the Committee on Labor, Commerce and Industry.

Rep. BRADLEY objected.

**OBJECTION TO RECALL**

Rep. PENDARVIS asked unanimous consent to recall H. 4657 from the Committee on Ways and Means.

Rep. G. M. SMITH objected.

**OBJECTION TO RECALL**

Rep. JONES asked unanimous consent to recall S. 1201 from the Committee on Judiciary.

Rep. GARVIN objected.

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**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. SIMRILL.

**S. 227--DEBATE ADJOURNED**

The following Bill was taken up:

S. 227 -- Senator Gambrell: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2019, OR A MUNICIPALITY THAT INCORPORATES AFTER JANUARY 1, 2019, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.

Rep. G. M. SMITH moved to adjourn debate on the Bill until Wednesday, September 23, which was agreed to.

**S. 181--DEBATE ADJOURNED**

The following Bill was taken up:

S. 181 -- Senators McElveen, Johnson, McLeod, Climer and Shealy: A BILL TO AMEND SECTION 63-9-80 OF THE 1976 CODE, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, TO PROVIDE THAT BIOLOGICAL PARENTS MAY PROVIDE THEIR PERSONAL MEDICAL HISTORY INFORMATION AT THE TIME OF CONSENT OR RELINQUISHMENT FOR THE PURPOSES OF ADOPTION, TO PROVIDE THAT, IF THE INFORMATION IS PROVIDED, THEN IT SHALL BE MADE AVAILABLE TO THE PROSPECTIVE ADOPTIVE PARENT, AND TO PROVIDE THAT THE INFORMATION MUST ALSO BE DEPOSITED WITH THE COURT AND MAY BE MADE AVAILABLE TO THE ADOPTEE WHEN THE ADOPTEE REACHES THE AGE OF MAJORITY OR, PRIOR TO THAT TIME, IF IT IS IN THE BEST INTEREST OF THE CHILD.

Rep. MURPHY moved to adjourn debate on the Bill until Wednesday, September 23, which was agreed to.



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**S. 318--DEBATE ADJOURNED**

The following Bill was taken up:

S. 318 -- Senators Alexander and Davis: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT", TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

Rep. G. M. SMITH moved to adjourn debate on the Bill until Wednesday, September 23, which was agreed to.

**S. 156--DEBATE ADJOURNED**

The following Bill was taken up:

S. 156 -- Senators Allen, Turner, Martin and Education and Public Works: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-975 SO AS TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, IT IS UNLAWFUL TO POSSESS WITHIN OR INTRODUCE UPON THE GROUNDS OF A CORRECTIONAL FACILITY A TELECOMMUNICATION DEVICE, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

Rep. MURPHY moved to adjourn debate on the Bill until Wednesday, September 23, which was agreed to.

**S. 176--DEBATE ADJOURNED**

The following Bill was taken up:

S. 176 -- Senators Hembree, Martin and Verdin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED

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OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

Rep. MURPHY moved to adjourn debate on the Bill until Wednesday, September 23, which was agreed to.

**LEAVE OF ABSENCE**

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

**S. 1099--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1099 -- Senators Talley, Shealy, Turner, Hutto, Sabb, Climer, McLeod, Gambrell, Johnson, Campsen, Scott, Williams and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-942, SO AS TO PROVIDE THAT A MANUFACTURER, BREWER, OR IMPORTER OF BEER SHALL NOT REQUEST OR REQUIRE THAT A WHOLESALER SUBMIT

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CERTAIN INFORMATION FOR BEER BRANDS NOT MANUFACTURED, BREWED, OR IMPORTED BY THE MANUFACTURER, BREWER, OR IMPORTER; SHALL NOT MANDATE CERTAIN EMPLOYMENT MATTERS; SHALL NOT REQUEST OR REQUIRE A WHOLESALER TO PAY BEER BRAND MARKETING OR ADVERTISING FUNDS; SHALL NOT SHIP, INVOICE, OR INITIATE PAYMENT FOR ANY QUANTITY OF BEER IN EXCESS OF THAT FORECAST BY A WHOLESALER OR FOR ANY POINT OF SALE ADVERTISING OR OTHER ITEMS IN EXCESS OF THAT SPECIFIED BY THE WHOLESALER; SHALL NOT ATTRIBUTE ANY FINANCIAL INTEREST TO A WHOLESALER FOR BEER NOT IN THE WHOLESALER'S POSSESSION; SHALL NOT REQUEST OR REQUIRE A WHOLESALER TO PAY FOR CERTAIN MATTERS PERTAINING TO SOFTWARE OWNED OR MANDATED BY THE MANUFACTURER, BREWER, OR IMPORTER; AND SHALL NOT REQUIRE PAYMENT OF A PENALTY BY THE WHOLESALER FOR NONCOMPLIANCE WITH ANY REQUIREMENT OF THE MANUFACTURER, BREWER, OR IMPORTER, EXCLUDING CERTAIN FEES OR INTEREST.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 1099 (COUNCIL\CZ\1099C009.JN.CZ20), which was adopted:

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

/ SECTION 1. Article 9, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-942. Notwithstanding any existing beer distribution agreement to the contrary, a manufacturer, brewer, or importer of beer shall not:

(1) coerce or require a wholesaler to gather or submit sales records, retail placement, price, discount, rebate, or other details for beer brands not manufactured, brewed, or imported by the manufacturer, brewer, or importer;

(2) mandate wholesaler employee hiring decisions or payment rates, including incentives;

(3) require a wholesaler to pay or contribute marketing, advertising, or other funds for control or expenditure by the manufacturer, brewer, or importer, except a wholesaler may agree, in writing and in advance of the payment or contribution, to spend or

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contribute wholesaler funds for a specified marketing or advertising plan or opportunity;

(4) ship, invoice or initiate an electronic funds transfer payment for any quantity of beer exceeding any order or forecast submitted by a wholesaler, or include in a beer sales invoice charges for any items other than beer, freight, fuel, cooperage, dunnage, pallets, and related deposits;

(5) invoice or initiate electronic funds transfer payment for point of sale advertising specialties or other items, except a manufacturer, brewer, or importer may place an order and invoice or initiate an electronic funds transfer payment for point of sale advertising specialties or other items pursuant to a specific written agreement between the wholesaler and the manufacturer, brewer, or importer made prior to the placement of an order;

(6) attribute risk of loss, ownership or other financial interest to a wholesaler for beer not in the wholesaler's possession; or

(7) require a wholesaler to pay for development, installation, or use of any software owned or mandated by the manufacturer, brewer, or importer, except a wholesaler may be required to maintain data in a format compatible with data format standards adopted by a manufacturer, brewer, or importer.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. SOTTILE explained the amendment.

Rep. G. R. SMITH spoke against the amendment.

Rep. G. R. SMITH spoke against the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. SIMRILL spoke in favor of the amendment.

Rep. G. R. SMITH moved to table the amendment.

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

Yeas 12; Nays 83

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Those who voted in the affirmative are:

Burns	Chumley	Daning
Haddon	Hill	Hiott
Hixon	Long	Martin
McCraavy	G. R. Smith	Trantham

**Total--12**

Those who voted in the negative are:

Alexander	Allison	Atkinson
Bailey	Bennett	Bernstein
Blackwell	Brawley	Bryant
Calhoon	Caskey	Clary
Clyburn	Cobb-Hunter	B. Cox
W. Cox	Crawford	Davis
Dillard	Elliott	Erickson
Finlay	Forrest	Fry
Funderburk	Gagnon	Garvin
Gilliam	Govan	Hardee
Henderson-Myers	Herbkersman	Hewitt
Hosey	Huggins	Hyde
Jefferson	Johnson	Jordan
Kimmons	King	Kirby
Ligon	Lowe	Lucas
Mack	Matthews	McDaniel
McGinnis	McKnight	D. C. Moss
V. S. Moss	Murphy	W. Newton
Norrell	Oremus	Ott
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Yow	

**Total--83**

So, the House refused to table the amendment.

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The question then recurred to the adoption of the amendment, which was agreed to..

Rep. G.R. SMITH proposed the following Amendment No. 2 to S. 1099 (COUNCIL\CZ\1099C011.JN.CZ20), which was tabled:

Amend the bill, as and if amended, by striking Section 61-4-942(1), as contained in SECTION 1, and inserting:

/ (1) coerce or require a wholesaler to report the wholesaler's revenues, profits, margins, costs, sales volumes, or other financial information associated with the purchase, sale, or distribution of beer brands not manufactured or imported by the manufacturer, brewer, or importer. Nothing herein prevents a manufacturer, brewer, or importer from requesting publicly available data; /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

Rep. G. R. SMITH spoke in favor of the amendment.

Rep. SIMRILL moved to table the amendment, which was agreed to by a division vote of 55-9.

Rep. SIMRILL moved cloture on the entire matter which was agreed to.

Rep. G.R. SMITH proposed the following Amendment No. 3 to S. 1099 (COUNCIL\CZ\1099C014.JN.CZ20), which was tabled:

Amend the bill, as and if amended, by striking Section 61-4-942(4), as contained in SECTION 1, and inserting:

/ (4) ship, invoice or initiate an electronic funds transfer payment for any quantity of beer exceeding a supplier's targeted inventory levels calculated to properly support sales of products within a wholesaler's market, or include in a beer sales invoice charges for any items other than beer, freight, fuel, cooperage, dunnage, pallets, and related deposits; /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH spoke in favor of the amendment.

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Rep. SIMRILL moved to table the amendment, which was agreed to by a division vote of 54 to 9.

Rep. G.R. SMITH proposed the following Amendment No. 4 to S. 1099 (COUNCIL\CZ\1099C012.JN.CZ20), which was tabled:

Amend the bill, as and if amended, by striking Section 61-4-942(1), as contained in SECTION 1, and inserting:

/ (1) coerce or require a wholesaler to report the wholesaler's revenues, profits, margins, costs, sales volumes, or other financial information associated with the purchase, sale, or distribution of beer brands not manufactured or imported by the manufacturer, brewer, or importer. Nothing herein prevents a manufacturer, brewer, or importer from requesting publicly available data or from conducting ordinary course due diligence in connection with the potential acquisition of a wholesaler; /

Re-number sections to conform.

Amend title to conform.

Rep. G. R. SMITH spoke in favor of the amendment.

Rep. SIMRILL moved to table the amendment, which was agreed to which was agreed to by a division vote of 54-11.

**SPEAKER IN CHAIR**

Rep. G.R. SMITH proposed the following Amendment No. 5 to S. 1099 (COUNCIL\CZ\1099C013.JN.CZ20), which was tabled:

Amend the bill, as and if amended, by striking Section 61-4-942(2), as contained in SECTION 1, and inserting:

/ (2) mandate wholesaler employee hiring decisions or payment rates, except a manufacturer, brewer, or importer may contractually agree to have the right to approve or disapprove of the manager responsible for the sale of the brands of such manufacturer, brewer, or importer so long as the supplier does so in good faith; /

Re-number sections to conform.

Amend title to conform.

Rep. G. R. SMITH spoke in favor of the amendment.

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Rep. SIMRILL moved to table the amendment, which was agreed to by a division vote of 48-10.

Rep. G.R. SMITH proposed the following Amendment No. 6 to S. 1099 (COUNCIL\CZ\1099C022.JN.CZ20), which was tabled:

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

/ SECTION 1. Article 9, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-942. (A) Notwithstanding any existing beer distribution agreement to the contrary, a manufacturer, brewer, or importer of beer shall not:

(1) coerce or require a wholesaler to gather or submit sales records, retail placement, price, discount, rebate, or other details for beer brands not manufactured, brewed, or imported by the manufacturer, brewer, or importer;

(2) mandate wholesaler employee hiring decisions or payment rates, including incentives;

(3) require a wholesaler to pay or contribute marketing, advertising, or other funds for control or expenditure by the manufacturer, brewer, or importer, except a wholesaler may agree, in writing and in advance of the payment or contribution, to spend or contribute wholesaler funds for a specified marketing or advertising plan or opportunity;

(4) ship, invoice or initiate an electronic funds transfer payment for any quantity of beer exceeding any order or forecast submitted by a wholesaler, or include in a beer sales invoice charges for any items other than beer, freight, fuel, cooperage, dunnage, pallets, and related deposits;

(5) invoice or initiate electronic funds transfer payment for point of sale advertising specialties or other items, except a manufacturer, brewer, or importer may place an order and invoice or initiate an electronic funds transfer payment for point of sale advertising specialties or other items pursuant to a specific written agreement between the wholesaler and the manufacturer, brewer, or importer made prior to the placement of an order;

(6) attribute risk of loss, ownership or other financial interest to a wholesaler for beer not in the wholesaler’s possession; or

(7) require a wholesaler to pay for development, installation, or use of any software owned or mandated by the manufacturer, brewer, or importer, except a wholesaler may be required to maintain data in a



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format compatible with data format standards adopted by a manufacturer, brewer, or importer.

(B) Notwithstanding any other provisions of law, the purchase of any beer or malt beverages for retail on-premise consumption is permitted to be sold for purposes of delivery or curbside pickup directly to consumers.” /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH spoke in favor of the amendment.

Rep. SIMRILL moved to table the amendment, which was agreed to by a division vote of 57 to 9.

Rep. G.R. SMITH proposed the following Amendment No. 7 to S. 1099 (COUNCIL\CZ\1099C023.JN.CZ20), which was tabled:

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

/ SECTION 1. Article 9, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-942. (A) Notwithstanding any existing beer distribution agreement to the contrary, a manufacturer, brewer, or importer of beer shall not:

(1) coerce or require a wholesaler to gather or submit sales records, retail placement, price, discount, rebate, or other details for beer brands not manufactured, brewed, or imported by the manufacturer, brewer, or importer;

(2) mandate wholesaler employee hiring decisions or payment rates, including incentives;

(3) require a wholesaler to pay or contribute marketing, advertising, or other funds for control or expenditure by the manufacturer, brewer, or importer, except a wholesaler may agree, in writing and in advance of the payment or contribution, to spend or contribute wholesaler funds for a specified marketing or advertising plan or opportunity;

(4) ship, invoice or initiate an electronic funds transfer payment for any quantity of beer exceeding any order or forecast submitted by a wholesaler, or include in a beer sales invoice charges for any items other than beer, freight, fuel, cooperage, dunnage, pallets, and related deposits;

(5) invoice or initiate electronic funds transfer payment for point of sale advertising specialties or other items, except a

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manufacturer, brewer, or importer may place an order and invoice or initiate an electronic funds transfer payment for point of sale advertising specialties or other items pursuant to a specific written agreement between the wholesaler and the manufacturer, brewer, or importer made prior to the placement of an order;

(6) attribute risk of loss, ownership or other financial interest to a wholesaler for beer not in the wholesaler's possession; or

(7) require a wholesaler to pay for development, installation, or use of any software owned or mandated by the manufacturer, brewer, or importer, except a wholesaler may be required to maintain data in a format compatible with data format standards adopted by a manufacturer, brewer, or importer.

(B) Notwithstanding any other provisions of law, the purchase of any beer or malt beverages for retail off-premise consumption is permitted to be sold for purposes of delivery or curbside pickup directly to consumers.” /

Re-number sections to conform.

Amend title to conform.

Rep. G. R. SMITH spoke in favor of the amendment.

Rep. SIMRILL moved to table the amendment, which was agreed to by a division vote of 57 to 9.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 76; Nays 13

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Bamberg	Bennett	Blackwell
Bradley	Brawley	Bryant
Calhoon	Caskey	Clary
Clyburn	Cobb-Hunter	B. Cox
W. Cox	Crawford	Davis
Dillard	Elliott	Erickson
Finlay	Forrest	Fry
Funderburk	Gagnon	Garvin
Govan	Henderson-Myers	Herbkersman
Hewitt	Hosey	Huggins

[HJ]

**TUESDAY, SEPTEMBER 22, 2020**

Hyde	Jefferson	Johnson
Jordan	Kimmons	Kirby
Ligon	Lowe	Lucas
Mack	Matthews	McDaniel
McGinnis	McKnight	D. C. Moss
V. S. Moss	Murphy	W. Newton
Oremus	Ott	Pendarvis
Pope	Ridgeway	Rutherford
Sandifer	Simrill	G. M. Smith
Sottile	Spires	Stavrinakis
Tallon	Taylor	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Yow		

**Total--76**

Those who voted in the negative are:

Burns	Chumley	Daning
Gilliam	Haddon	Hill
Hiott	Hixon	Long
Martin	Morgan	G. R. Smith
Trantham		

**Total--13**

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. 1099. If I had been present, I would have voted in favor of the Bill.

Rep. Terry Alexander

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

**TUESDAY, SEPTEMBER 22, 2020**

**ADJOURNMENT**

At 7:55 p.m. the House, in accordance with the motion of Rep. HOSEY, adjourned in memory of Roy Charles Hammond, to meet at 10:00 a.m tomorrow.

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**TUESDAY, SEPTEMBER 22, 2020**

H. 3210 .....	2	S. 163 .....	72
H. 3351 .....	81, 83	S. 176 .....	104
H. 3485 .....	18, 43	S. 181 .....	103
H. 3755 .....	73, 74	S. 194 .....	44, 45
H. 4327 .....	76	S. 207 .....	23, 86
H. 4657 .....	102	S. 217 .....	27, 57, 99
H. 4831 .....	79	S. 227 .....	103
H. 4938 .....	14	S. 259 .....	30, 57
H. 4993 .....	102	S. 293 .....	102
H. 5149 .....	77	S. 318 .....	103
H. 5201 .....	14	S. 342 .....	23
H. 5564 .....	19	S. 426 .....	48, 90
H. 5590 .....	3	S. 545 .....	23, 84
H. 5591 .....	5	S. 579 .....	51
H. 5592 .....	6	S. 719 .....	22
H. 5593 .....	10	S. 753 .....	24
H. 5594 .....	6	S. 881 .....	48
H. 5595 .....	7	S. 882 .....	50
H. 5596 .....	11	S. 993 .....	22, 83
H. 5597 .....	7	S. 1048 .....	72
H. 5598 .....	8	S. 1068 .....	73
H. 5599 .....	9	S. 1071 .....	52, 55
H. 5600 .....	9	S. 1099 .....	26, 105, 106, 114
H. 5601 .....	45	S. 1121 .....	20
H. 5602 .....	46	S. 1191 .....	12
H. 5603 .....	46	S. 1201 .....	73, 102
H. 5604 .....	87	S. 1233 .....	83
H. 5605 .....	88	S. 1263 .....	55
		S. 1281 .....	89
S. 156 .....	104	S. 1282 .....	89