

NO. 39

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

---

THURSDAY, MARCH 14, 2019

**Thursday, March 14, 2019**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

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

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

Zephaniah 3:17

“The Lord your God is in your midst, a mighty one who will save; he will rejoice over you with gladness; he will quiet you by his love; he will exult over you with singing.”

Let us pray. Gracious and loving God, You created us to be useful and to serve You. Just as Daniel Webster said that the greatest conviction of his life was that he was accountable to You; we too, Lord, want to walk through this life in Your favor.

Make us aware, O God, that You are the unseen guest at our every meeting, the silent observer of all our actions, and the careful listener at every conversation. In the hustle and bustle of daily life, make us more keenly aware of Your presence and Your power to sustain and guide our every action and equally as important our every reaction. And on our final day, may we hear the words, “well done good and faithful servant”. Though Your holy name we pray, Amen.

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

**Point of Quorum**

At 11:04 A.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Allen	Bennett	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Harpootlian	Hutto	Johnson

[SJ]

**THURSDAY, MARCH 14, 2019**

Leatherman	Martin	Massey
<i>Matthews, John</i>	Nicholson	Peeler
Reese	Rice	Sabb
Setzler	Shealy	Talley
Turner	Young	

A quorum being present, the Senate resumed.

**Recorded Presence**

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

**Doctor of the Day**

Senator McLEOD introduced Dr. Rajeev Vasudeva of West Columbia, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator MARTIN, at 11:25 A.M., Senator KIMPSON was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator SHEALY, at 11:33 A.M., Senator TURNER was granted a leave of absence for today.

**Expression of Personal Interest**

Senator MASSEY rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 162 Sen. Climer  
S. 552 Sen. Young

**COMMITTED**

S. 653 -- Senators McElveen and Martin: A BILL TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-546, TO PROVIDE FOR AN ELECTRONIC HARVEST REPORTING SYSTEM, TO PROVIDE REQUIREMENTS FOR REPORTING THE HARVEST OF A WILD TURKEY, AND TO PROVIDE PENALTIES.

On motion of Senator CAMPSSEN, the Bill was committed to the Committee on Fish, Game and Forestry.

**THURSDAY, MARCH 14, 2019**

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 656 -- Senator Grooms: A BILL TO AMEND SECTION 56-5-5640 OF THE 1976 CODE, RELATING TO THE SALE OF UNCLAIMED VEHICLES AND THE DISPOSITION OF PROCEEDS, TO PROVIDE FOR THE TRANSFER OF A VEHICLE TO AN AUTOMOTIVE DISMANTLER OR RECYCLER OR SECONDARY METALS RECYCLER FOR DEMOLITION, WRECKING, OR DISMANTLING; TO AMEND SECTION 56-5-5670 OF THE 1976 CODE, RELATING TO THE DUTIES OF DEMOLISHERS AND THE DISPOSAL OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-5-5945 OF THE 1976 CODE, RELATING TO THE DUTIES OF DEMOLISHERS AND THE DISPOSAL OF A VEHICLE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-19-480(A) OF THE 1976 CODE, RELATING TO THE TRANSFER AND SURRENDER OF THE CERTIFICATES, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SERIAL PLATES OF VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-1380 OF THE 1976 CODE, RELATING TO THE RETURN OF A REGISTRATION CARD AND LICENSE PLATES FOR A WRECKED OR DISMANTLED VEHICLE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 16-17-680(D), (E), AND (J)(1)(e) OF THE 1976 CODE, RELATING TO A SECONDARY METALS RECYCLER PERMIT TO PURCHASE NONFERROUS METALS AND A PERMIT TO TRANSPORT AND SELL NONFERROUS METALS, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

l:\s-res\lkg\019auto.kmm.lkg.docx

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

S. 657 -- Senator Gambrell: A JOINT RESOLUTION TO REQUIRE AN ELECTRICAL UTILITY TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS ON A FIRST-COME, FIRST-SERVED BASIS, USING THE METHODOLOGY ESTABLISHED BY THE PUBLIC SERVICE COMMISSION, UNTIL JULY 1, 2019 OR FURTHER ACTION BY THE GENERAL

[SJ]

**THURSDAY, MARCH 14, 2019**

ASSEMBLY, WHICHEVER OCCURS EARLIER, AND TO SUSPEND THE PROVISIONS IN SOUTH CAROLINA CODE SUBSECTION 58-40-20(B) DURING THIS PERIOD, AND TO SUPERSEDE ANY LIMITATION ON THE NUMBER OF NET METERING CUSTOMERS AS PREVIOUSLY ESTABLISHED BY THE PUBLIC SERVICE COMMISSION.

l:\s-jud\bills\gambrell\jud0044.hla.docx

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

S. 658 -- Senator Grooms: A BILL TO AMEND SECTION 12-37-220(A)(3) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM PROPERTY TAXES, TO PROVIDE THAT VEHICLES LEASED BY CHURCHES ARE EXEMPT FROM PROPERTY TAXES.

l:\s-res\lkg\018prop.kmm.lkg.docx

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

S. 659 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\dbs\31514cz19.docx

Read the first time and ordered placed on the Calendar without reference.

S. 660 -- Senator Campbell: A BILL TO AMEND SECTION 58-33-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE "UTILITY FACILITY SITING AND ENVIRONMENTAL PROTECTION ACT", SO AS TO REVISE THE DEFINITION OF "MAJOR UTILITY FACILITY" AND TO PROVIDE DEFINITIONS FOR "DOD SITING CLEARINGHOUSE", "NOTICE OF PRESUMED RISK", "ADVERSE IMPACT ON MILITARY OPERATIONS AND READINESS", "MAJOR MILITARY BASE", AND "WIND ENERGY FACILITY"; TO AMEND SECTION 58-33-120, RELATING TO APPLICATIONS FOR A CERTIFICATE TO CONSTRUCT A UTILITY FACILITY, SO AS TO PROVIDE THAT CERTAIN INFORMATION REGARDING

**THURSDAY, MARCH 14, 2019**

WIND ENERGY FACILITIES MUST BE INCLUDED ON THE APPLICATION; AND TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES ALSO SHALL INCLUDE THE SOUTH CAROLINA AERONAUTICS COMMISSION AND THE DOD SITING CLEARINGHOUSE FOR PROCEEDINGS RELATED TO WIND ENERGY FACILITIES.

l:\council\ills\cc\15531zw19.docx

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

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

l:\s-res\mwf\001jerr.kmm.mwf.docx

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

S. 662 -- Senator Senn: A BILL TO AMEND ARTICLE 7, CHAPTER 3, TITLE 23 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE SEX OFFENDER REGISTRY, BY ADDING SECTION 23-3-485 TO REQUIRE AN OFFENDER WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER TO INFORM AN ADMINISTRATIVE OFFICIAL, MANAGER, OR LAW ENFORCEMENT OFFICER OF HIS STATUS AS A SEX OFFENDER UPON ENTRANCE TO AN EMERGENCY SHELTER, AND TO PROVIDE PENALTIES.

l:\s-jud\ills\senn\jud0016.rem.docx

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

S. 663 -- Senators Rice, Senn, Climer, Grooms, Goldfinch and Verdin: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND TO SET A LIMIT ON THE

[SJ]

**THURSDAY, MARCH 14, 2019**

NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES SENATE.

l:\s-res\rfr\003conv.kmm.rfr.docx

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

S. 664 -- Senators Verdin, Martin, Talley, M. B. Matthews, Allen, Turner, Alexander and Davis: A SENATE RESOLUTION TO RECOGNIZE THE CRITICAL IMPORTANCE OF THE F-35 LIGHTNING II AND F-16 FIGHTING FALCON TO AMERICA'S SECURITY AND TO SOUTH CAROLINA AND TO CALL FOR FULL FUNDING BY THE UNITED STATES CONGRESS.

l:\s-res\dbv\009f35 .kmm.dbv.docx

The Senate Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 665 -- Senator Shealy: A SENATE RESOLUTION TO HONOR AND RECOGNIZE BOB MERRITT FOR DONATING HIS TWO HUNDREDTH PINT OF BLOOD TO THE AMERICAN RED CROSS AND TO COMMEND HIM FOR HIS SIGNIFICANT CONTRIBUTIONS IN AIDING THE ORGANIZATION IN CARRYING OUT ITS LIFE-SAVING MISSION.

l:\s-res\ks\039bob .kmm.ks.docx

The Senate Resolution was adopted.

S. 666 -- Senator Climer: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS DURING NON-DAYLIGHT HOURS.

l:\s-res\wc\008cart.sp.wc.docx

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

S. 667 -- Senator McLeod: A BILL TO AMEND SECTION 40-22-222 OF THE 1976 CODE, RELATING TO THE LICENSING OF EXISTING ENGINEERS, TO EXTEND THE DATE BY WHICH CERTAIN ENGINEERS AND GRADUATES OF CERTAIN

**THURSDAY, MARCH 14, 2019**

ENGINEERING PROGRAMS MAY BE LICENSED AS PROFESSIONAL ENGINEERS; AND TO CREATE A STUDY COMMITTEE TO MAKE RECOMMENDATIONS CONCERNING THE ALIGNMENT OF OUR STATE'S PROFESSIONAL ENGINEERING LICENSURE REQUIREMENTS WITH THOSE OF OTHER STATES.

l:\s-res\msm\003pe e.kmm.msm.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 668 -- Senators Hutto, Jackson and Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 2, 2019 AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA IN ORDER TO CALL ATTENTION TO THE SIGNIFICANT PROBLEM OF CHILD ABUSE AND NEGLECT.

l:\s-res\cbh\006chil.kmm.cbh.docx

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 669 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-3-320 SO AS TO CLARIFY THE MEANING OF THE TERM "CONTIGUOUS" WHEN A MUNICIPALITY THAT IS LOCATED ENTIRELY WITHIN THE BORDERS OF A SPECIAL PURPOSE DISTRICT ANNEXES UNINCORPORATED PROPERTY THAT IS ALSO LOCATED WITHIN THE SAME SPECIAL PURPOSE DISTRICT AS THE ANNEXING MUNICIPALITY.

l:\council\ills\nl\13800zw19.docx

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

**REPORTS OF STANDING COMMITTEE**

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

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

Ordered for consideration tomorrow.



**THURSDAY, MARCH 14, 2019**

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

S. 283 -- Senator Talley: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION ENTERPRISE ACT," TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN ENTERPRISE DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF THE COLLEGE OR UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND THE DISPOSITION OF REAL AND PERSONAL PROPERTY, WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION, AND TO PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT AN ENTERPRISE DIVISION, IF A DIVISION IS ESTABLISHED PURSUANT TO CHAPTER 157, TITLE 59 AND THE BOARD OF TRUSTEES HAS ADOPTED A PROCUREMENT POLICY FOR THE DIVISION THAT WAS APPROVED BY THE STATE FISCAL ACCOUNTABILITY AUTHORITY.

Ordered for consideration tomorrow.

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

H. 3576 -- Reps. White, Cobb-Hunter, Garvin, Rose, Loftis, Gilliard, Moore, Clemmons and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS), TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE

**THURSDAY, MARCH 14, 2019**

SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

Ordered for consideration tomorrow.

**Appointment Reported**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

**Statewide Appointment**

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2018, and to expire June 30, 2022

1st Congressional District:

Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518 *VICE*  
William Lee McCullough

Received as information.

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

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

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

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

**ORDERED ENROLLED FOR RATIFICATION**

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

H. 3127 -- Reps. Dillard, Henderson-Myers, Clyburn, Weeks, Robinson and Gilliard: A JOINT RESOLUTION TO ESTABLISH THE

**THURSDAY, MARCH 14, 2019**

MOLD ABATEMENT AND REMEDIATION STUDY COMMITTEE TO STUDY THE IMPACT OF MOLD IN PUBLIC AREAS AND TO ASCERTAIN THE BEST METHOD OF ABATEMENT FOR MOLD IN PUBLIC AREAS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO ESTABLISH CERTAIN GOALS FOR THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

H. 3987 -- Reprs. Gagnon and West: A BILL TO AMEND SECTION 7-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

**CARRIED OVER**

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

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

**READ THE SECOND TIME**

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

**THURSDAY, MARCH 14, 2019**

SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

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

**OBJECTION**

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE

**THURSDAY, MARCH 14, 2019**

PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO

[SJ]

**THURSDAY, MARCH 14, 2019**

REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF

**THURSDAY, MARCH 14, 2019**

THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

Senator MALLOY objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED  
AMENDED AND READ THE SECOND TIME**

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

The Senate proceeded to the consideration of the Bill.

THURSDAY, MARCH 14, 2019

The Committee on Agriculture and Natural Resources proposed the following amendment (3449R001.KMM.PGC), which was adopted:

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

/ SECTION 1. Chapter 55, Title 46 of the 1976 Code is amended to read:

“CHAPTER 55

—~~Industrial The Hemp Cultivation Farming Act~~

Section 46-55-10. For the purposes of this chapter:

(1) ‘Cannabidiol’ or ‘CBD’ means the compound by the same name derived from the hemp variety of the Cannabis sativa L. plant.

(2) ‘Commercial sales’ means the sale of hemp products in the stream of commerce, at retail, wholesale, and online.

(3) ‘Commissioner’ means the Commissioner of the South Carolina Department of Agriculture.

(4) ‘Cultivating’ means planting, watering, growing, and harvesting a plant or crop.

(5) ‘Department’ means the South Carolina Department of Agriculture.

(6) ‘Federally defined THC level for hemp’ means a delta-9 THC concentration of not more than 0.3 percent on a dry weight basis, or the THC concentration for hemp defined in 7 U.S.C. sec 5940, whichever is greater.

(7) ‘Handling’ means possessing or storing hemp for any period of time. ‘Handling’ also includes possessing or storing hemp in a vehicle for any period of time other than during its actual transport from the premises of a licensed person to cultivate or process industrial hemp to the premises of another licensed person. ‘Handling’ does not mean possessing or storing finished hemp products.

(8) ‘Hemp’ or ‘industrial hemp’ means the plant Cannabis sativa L. and any part of that plant, including the non-sterilized seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with the federally defined THC level for hemp. Hemp shall be considered an agricultural commodity.

(1)(9) ~~‘Industrial hemp Hemp products’ means all products made from any part of industrial hemp, including, but not limited to, cannabinoids, cloth, construction materials, cordage, fiber, food, fuel, paint, paper, particleboard, plastics, seed, seed meal, supplements, seed oil for consumption, and seed for cultivation if the seeds originate from industrial hemp varieties with the federally defined THC level for hemp derived from, or made by, processing hemp plants or hemp plant parts.~~



THURSDAY, MARCH 14, 2019

that are prepared in a form available for commercial sale, including, but not limited to, cosmetics, personal care products, food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp-derived cannabinoids, such as cannabidiol. Unprocessed or raw plant material, including non-sterilized hemp seeds, is not considered a hemp product.

~~(2)(10) 'Industrial hemp' means the plant Cannabis sativa L. and any part of the plant, whether growing or not, with a delta 9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dried weight basis 'Licensee' means an individual or business entity possessing a license issued by the department under the authority of this chapter to cultivate, handle, or process hemp.~~

~~(3)(11) 'Delta 9 tetrahydrocannabinol' means the natural or synthetic equivalents or substances contained in the plant, or in the resinous extractives of cannabis, or any synthetic substances, compounds, salts, or derivatives of the plant or chemicals and their isomers with similar chemical structure and pharmacological activity 'Marijuana' has the same meaning as in Section 44-53-110 and does not include tetrahydrocannabinol in hemp or hemp products as defined herein.~~

~~(4)(12) 'Human consumption' means ingestion or topical application to the skin or hair 'Processing' means converting an agricultural commodity into a marketable form.~~

~~(13) 'State plan' means the plan submitted by the department and approved by the Secretary of the United States Department of Agriculture pursuant to which the department regulates hemp production.~~

~~(14) 'THC' means tetrahydrocannabinol.~~

~~Section 46-55-20. (A)(1) The South Carolina Industrial Hemp Program is created It is unlawful for a person to cultivate, handle, or process hemp in this State without a hemp license issued by the department pursuant to the state plan.~~

~~(2) The department may charge application, license, and renewal of license fees reasonably calculated by the department to pay the cost of administering this chapter. Licensing fees for cultivators and handlers shall not exceed one thousand dollars annually per registrant, and licensing fees for processors shall not exceed the cost calculated by the department of the processor licensing program. Fees collected by the department pursuant to this item shall continuously be appropriated to~~

THURSDAY, MARCH 14, 2019

the department for the purposes of carrying out the duties of the South Carolina industrial hemp program under this chapter.

(3) Any person seeking to cultivate, handle, or process hemp shall undergo a state criminal records check, supported by fingerprints, by the State Law Enforcement Division and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. The State Law Enforcement Division is authorized to retain fingerprints for certification purposes and for notification of the department regarding criminal charges. No person who has been convicted of a felony relating to a controlled substance under state or federal law during a ten-year period from the date of his conviction shall be eligible to obtain a license to cultivate, handle, or process hemp.

(4) Any person who materially falsifies any information contained in an application to participate in the program established herein shall be ineligible to participate.

(5) The commissioner shall make information regarding a licensee and that information described in subsection (B)(1) accessible in real time to federal, state, and local law enforcement.

~~(B)(1) Industrial hemp is an agricultural crop. Any public institution of higher education offering a four-year baccalaureate degree or private institution of higher education accredited by the Southern Association of Colleges and Schools offering a four-year baccalaureate degree throughout the State may conduct research, pursuant to Public Law 113-79, contingent upon funding. The institution may conduct research or pilot programs as an agricultural commodity and may work with growers located in South Carolina. Once the institution of higher education engages in research on industrial hemp, the institution shall work in conjunction with the Department of Agriculture to identify solutions for applications, applicants, and new market opportunities for industrial hemp growers. The purchaser or manufacturer will be included under the provisions of this chapter. A person applying for a license to cultivate hemp shall provide to the department a legal description and global positioning coordinates sufficient to locate the fields or greenhouses used to cultivate hemp.~~

(2) A person applying for a license to cultivate, handle, or process hemp shall provide the department with prior written consent:

(a) allowing representatives of the department, the State Law Enforcement Division, and local law enforcement agencies to enter onto all premises where hemp is cultivated, handled, processed, or stored for the purpose of conducting physical inspections, obtaining samples of

THURSDAY, MARCH 14, 2019

hemp or hemp products, or otherwise ensuring compliance with the requirements of state law and any administrative regulations promulgated by the department; and

(b) to the testing procedure set forth in the state plan, using post-decarboxylation or other similarly reliable methods, delta-9 THC concentration levels of hemp produced in the State.

~~(3) The Department of Agriculture will allow up to twenty permits for the first year and up to forty permits for the second year and third year, and every year after, the Department of Agriculture, along with the institutions of higher learning, will evaluate the program to determine the number of permits to be issued. The permits are to be given to South Carolina residents for the purposes of a pilot program. Each permittee is permitted to grow industrial hemp on up to twenty acres of land the first year and up to forty acres the second year and third year, and every year after, the Department of Agriculture, along with the institutions of higher learning, will evaluate the program to determine the amount of acreage permitted. When applying for a permit, each applicant, at a minimum, must submit to the department global positioning system coordinates of where the industrial hemp will be grown and must submit any and all information, including, but not limited to, fingerprints, and the appropriate fees, required by the South Carolina Law Enforcement Division (SLED) to perform a fingerprint based state criminal records check and for the Federal Bureau of Investigation to perform a national fingerprint based criminal records check.~~

~~(4) The department shall require a state criminal records check, supported by fingerprints, by SLED and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. SLED is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. No person who has been convicted of any felony, or any person convicted of any drug-related misdemeanor or violation in the previous ten years from the date of the application, shall be eligible to obtain a permit.~~

~~(5) Before the department will issue a permit to the applicant, the applicant must have proof of a signed purchaser with a contract.~~

~~(6) Industrial hemp is an agricultural crop subject to regulations by the Department of Agriculture.~~

~~(7) To grow industrial hemp, a person must be registered with the department as a grower.~~

THURSDAY, MARCH 14, 2019

~~(8) To register, an applicant, under this section, must submit to the department, in a manner prescribed by the department, the following information:~~

- ~~(a) the name and address of the applicant;~~
- ~~(b) the name and address of the industrial hemp operation of the applicant;~~
- ~~(c) the Global Positioning System coordinates of the land on which the industrial hemp will be planted, grown, cultivated, or processed;~~
- ~~(d) any other information required by the department through regulation; and~~

~~(e) written consent allowing SLED and the Department of Agriculture to enter onto all premises where industrial hemp is cultivated, processed, or stored for the purpose of conducting physical inspections or ensuring compliance with the Industrial Hemp Pilot Program.~~

~~(9) A grower may renew a registration under this section in the manner prescribed by the department.~~

~~(10) The department may charge growers application, registration, and renewal of registration fees reasonably calculated by the department to pay the cost of administering the South Carolina Industrial Hemp Program, not to exceed one thousand dollars annually per registrant. Monies from fees collected under this subsection shall be continuously appropriated to the department for purposes of carrying out the duties of the South Carolina Industrial Hemp Program under this section.~~

~~(11) It is lawful for a permitted individual to cultivate, produce, or otherwise grow industrial hemp in this State to be used for any lawful purpose, including, but not limited to, the manufacture of industrial hemp products, and scientific, agricultural, or other research related to other lawful applications for industrial hemp.~~

~~(12) Growers or processors may retain any industrial hemp that tests between three tenths of one percent to one percent delta 9 tetrahydrocannabinol on a dry weight basis and recondition the hemp product by grinding it with the stem and stalk. Industrial hemp products must not exceed three tenths of one percent delta 9 tetrahydrocannabinol.~~

~~(13) For the purposes of Chapter 25, Title 39, industrial hemp or industrial hemp products may not be considered to be an adulterant.~~

~~Section 46-55-30. (1) A grower may use any propagation method, including, but not limited to, planting seeds or starts or using clones or cuttings, to produce industrial hemp. Nothing in this article limits or~~

THURSDAY, MARCH 14, 2019

~~precludes a grower from propagating or cultivating noncertified industrial hemp seed~~ The provisions contained in this chapter do not apply to the possession, handling, transport, or sale of hemp products and extracts, including those containing hemp-derived cannabinoids, including CBD. Nothing in this chapter authorizes any person to violate any federal or state law or regulation.

~~(2) Notwithstanding any other provision of law, except as subject to federal law, a person engaged in cultivating, processing, selling, transporting, possessing, or otherwise distributing industrial hemp, or selling industrial hemp products from industrial hemp, grown, processed, or produced pursuant to this chapter, is not subject to any civil or criminal actions under South Carolina law for engaging in these activities. Nothing in this chapter limits or precludes the importation or exportation of industrial hemp or industrial hemp products. The provisions of the chapter create a three-year pilot program as contained in 7 U.S.C. Section 5940.~~

~~Section 46-55-40. (A) For purposes of this section: (1)~~

~~‘Independent testing laboratory’ means any facility, entity, or site that offers or performs tests of industrial hemp or industrial hemp based products that has been accredited by an independent accreditation body~~ A licensee in the South Carolina hemp program shall be required to conduct a corrective action plan if the commissioner, or his designee, determines that the licensee negligently violated a provision of this chapter, regulations promulgated pursuant to this chapter, or the state plan, including, but not limited to:

(a) failing to provide a legal description and global positioning coordinates of the land on which the licensee cultivates hemp;

(b) failing to obtain a proper license or other required authorization from the commissioner; or

(c) producing Cannabis sativa L. with more than the federally defined THC level for hemp.

~~(2) ‘Accreditation body’ means an impartial organization that provides accreditation to ISO/IEC 17025 requirements and is a signatory to the International Laboratory Accreditation Corporation Mutual Recognition Arrangement for Testing~~ A corrective action plan required pursuant to item (1) shall include a:

(a) reasonable date by which the licensee shall correct the violation; and

(b) requirement that the licensee shall periodically report to the commissioner on his compliance with this chapter and the state plan for

THURSDAY, MARCH 14, 2019

a period of not less than the next two calendar years, to be determined by the commissioner.

(3) 'Scope of accreditation' means a document issued by the accreditation body which describes the methodologies, range, and parameters for testing for which the accreditation has been granted. The corrective action plan provided for in item (2) is the sole remedy for negligent violations of this chapter, regulations promulgated pursuant to this chapter, or the state plan. A licensee who negligently violates a provision of this chapter, regulations promulgated pursuant to this chapter, or the state plan shall not be subject to any criminal or civil enforcement action.

(4) A licensee who negligently violates a provision of this chapter, regulations promulgated pursuant to this chapter, or the state plan three times in a five-year period shall be ineligible to produce hemp for a period of five years beginning on the date of the third violation.

(B) Independent testing laboratories may test industrial hemp and industrial hemp products produced or processed by a grower or processor. If the commissioner determines that a licensee has violated state law with a culpable mental state greater than negligence, then the commissioner shall immediately report the hemp producer to the Attorney General and the Chief of the South Carolina Law Enforcement Division, and subsection (A)(2) shall not apply to the violation.

(C) All testing performed to meet regulatory requirements shall be included in an independent testing laboratory's scope of accreditation.

(D) An independent testing laboratory shall demonstrate the ability to accurately quantitate individual cannabinoids in both their acidic and neutral forms down to 0.05 percent by weight, including, but not limited to, delta 9 THC, delta 9 THCA, cannabidiol (CBD), and CBDA.

(E) Testing is required by an International Organization for Standardization (ISO) Certified Laboratory Facility as approved by an accredited body. The test results must be retained by the grower or processor for at least three years and be made readily available to any state law enforcement agency upon request. Any industrial hemp sample testing at one percent or above delta 9 tetrahydrocannabinol shall be destroyed in a controlled environment with law enforcement present.

(F) Registered growers shall have a minimum of four random samples per grow tested for delta 9 tetrahydrocannabinol concentrations not more than thirty days prior to harvest. If the grower has planted different varieties, at least one sample from each variety must be tested for delta 9 tetrahydrocannabinol concentrations.

**THURSDAY, MARCH 14, 2019**

~~(G) Industrial hemp or industrial hemp products, intended by a processor for sale for human consumption, shall be tested by an independent testing laboratory to confirm that products are fit for human consumption and meet United States Food Industry standards for food products. Testing shall confirm safe levels of potential contaminants, including, but not limited to, pesticides, heavy metals, residual solvents, and microbiological contaminants.~~

~~(H) All test results and corresponding product batch numbers shall be retained by the registered processor for at least three years.~~

~~Section 46-55-50. Industrial hemp is excluded from the definition of marijuana in Section 44-53-110.~~

Section 46-55-60. An individual who manufactures, distributes, dispenses, delivers, purchases, aids, abets, attempts to, or conspires to manufacture, distribute, dispense, deliver, or purchase, or possesses with the intent to manufacture, distribute, dispense, deliver, or purchase, marijuana, in a manner intended to disguise the marijuana due to its proximity to industrial hemp, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years, fined not more than three thousand dollars, or both. The penalty provided for in this section may be imposed in addition to any other penalties provided by law.”

SECTION 2. (A) Within sixty days after the effective date of this act, the Commissioner of the South Carolina Department of Agriculture shall submit a State Plan to the Secretary of the United States Department of Agriculture pursuant to which the South Carolina Department of Agriculture proposes to regulate hemp production. The submission shall include:

(1) a practice to maintain relevant information regarding land on which hemp is produced in the State, including a legal description of the land, for a period of not less than three calendar years;

(2) a procedure for testing, using post-decarboxylation or other similarly reliable methods, delta-9 THC concentration levels of hemp produced in the State;

(3) a procedure for the effective disposal of products that are produced in violation of Chapter 55, Title 46, as amended by this act; and

(4) a procedure to comply with the enforcement procedures outlined in this act.

(B) If the Secretary of the United States Department of Agriculture disapproves the State Plan, then the Commissioner of the South Carolina Department of Agriculture, in consultation with the Governor and

**THURSDAY, MARCH 14, 2019**

Attorney General, shall submit to the Secretary of the United States Department of Agriculture an amended State Plan.

SECTION 3. The forty 2019 licenses issued pursuant to Chapter 55, Title 46 prior to the effective date of this act shall be valid for the term of the licenses, under the terms and conditions under which the licenses were issued, except that, upon the approval of the South Carolina Department of Agriculture, each licensee may expand operations beyond the forty-acre limit and may cultivate hemp for commercial purposes. Furthermore, the law under which the licenses were issued shall be in full force and effect for those licenses during the term of the licenses.

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

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

Senators HEMBREE, WILLIAMS, CAMPBELL and VERDIN proposed the following amendment (3449R003.KMM.PGC), which was adopted:

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

/ SECTION 3. (A) The forty 2019 licenses issued pursuant to Chapter 55, Title 46 prior to the effective date of this act shall be valid for the term of the licenses, under the terms and conditions under which the licenses were issued, except that, upon the approval of the South Carolina Department of Agriculture, each licensee may expand operations beyond the forty-acre limit and may cultivate hemp for commercial purposes.

(B) Notwithstanding the provisions of Section 46-55-20(B)(3), as amended by this act, as of the date licenses were issued for 2019, the South Carolina Department of Agriculture may issue additional licenses for 2019 to any applicant that met the licensing criteria but was denied solely because the department had already issued the legally permitted number of licenses for the year. Licenses issued pursuant to this subsection shall be for the same term, and under the same terms and conditions, under which the forty licenses identified in subsection (A) were issued. Licensees pursuant to this subsection may also expand operations beyond the forty-acre limit and may cultivate hemp for



**THURSDAY, MARCH 14, 2019**

commercial purposes upon the approval of the South Carolina Department of Agriculture.

(C) The law under which licenses are issued shall be in full force and effect for those licenses during the term of the licenses. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

Senator HEMBREE spoke on the Bill.

The question being the second reading of the Bill.

**Motion under Rule 26B**

Senator CAMPBELL asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

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

**CARRIED OVER**

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

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

**READ THE SECOND TIME**

S. 463 -- Senator Martin: A BILL TO AMEND SECTION 40-43-86 OF THE 1976 CODE, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR

[SJ]

**THURSDAY, MARCH 14, 2019**

AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, TO PROVIDE THAT A PHARMACIST MAY EXERCISE HIS PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION PER REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

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

**Total--37**

**NAYS**

**Total--0**

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

**THURSDAY, MARCH 14, 2019**

**READ THE SECOND TIME**

S. 162 -- Senators Bennett, Johnson and Climer: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

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

**Total--37**

**NAYS**

**Total--0**

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

THURSDAY, MARCH 14, 2019

COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\440C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-65-20(4)(a) and inserting:

/ “(4)(a) ‘Textile mill site’ means the textile mill together with the land and other improvements on it which were used directly for textile manufacturing operations or ancillary uses. However, the area of the site is limited to the land located within the boundaries where the textile manufacturing, dying, or finishing facility structure is located and does not include land located outside the boundaries of the structure or devoted to ancillary uses. /

Re-number sections to conform.

Amend title to conform.

Senator TALLEY explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 38; Nays 0; Abstain 1**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson

[SJ]

27

**THURSDAY, MARCH 14, 2019**

Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	

**Total--38**

**NAYS**

**Total--0**

**ABSTAIN**

Young

**Total--1**

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

**CARRIED OVER**

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED

[SJ]

**THURSDAY, MARCH 14, 2019**

AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Transportation proposed the following amendment (509R001.KMM.LKG):

Amend the bill, as and if amended, page 3, by striking lines 4 through 7 and inserting:

/ SECTION 5. This act takes effect January 1, 2020. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

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

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3595C001.NBD.DG19), which was adopted:

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

/ SECTION 2. Section 12-6-3585 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“( )1) By March fifteenth of each year, the South Carolina Research Authority shall issue a report to the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and

**THURSDAY, MARCH 14, 2019**

Means Committee, and the Governor detailing the amount contributed to the Industry Partnership Fund in the previous tax year that entitled the taxpayer to the credit allowed by this section, the taxpayers that received the credit, and the manner in which such contributions were expended or are expected to be expended.

(2) The report shall also include, by county, the number of taxpayers who express a bona fide intention to contribute to the Industry Partnership Fund, the number of taxpayers whom the SCRA certified as entitled to receive the Industry Partnership Fund tax credit, and the amount of Industry Partnership Fund contributions that received such certification from SCRA.

(3) The report also must be posted in a conspicuous place on the website maintained by the South Carolina Research Authority.”/

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 37; Nays 2**

**AYES**

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

**Total--37**

THURSDAY, MARCH 14, 2019

NAYS

Bennett

Massey

**Total--2**

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

**READ THE SECOND TIME**

H. 3985 -- Reps. Lucas, G.M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

The Senate proceeded to the consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

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

[SJ]



**THURSDAY, MARCH 14, 2019**

**Total--39**

**NAYS**

**Total--0**

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

**POINT OF ORDER**

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

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE,

[SJ]

**THURSDAY, MARCH 14, 2019**

RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 206 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S MONITORING OF STATE BOARDS AND COMMISSIONS AND TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

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

**Point of Order**

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

[SJ]

**THURSDAY, MARCH 14, 2019**

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 486 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA REMOTE ONLINE NOTARIZATION ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE THE SECRETARY OF STATE BY RULE SHALL DEVELOP AND MAINTAIN STANDARDS FOR CREDENTIAL ANALYSIS AND IDENTITY PROOFING AND TO PROVIDE REQUIREMENTS FOR THE DEVELOPMENT OF THESE STANDARDS, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS REMOTE ONLINE NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED BY REMOTE ONLINE NOTARIES USING ELECTRONIC TECHNOLOGY, TO PROVIDE REQUIREMENTS FOR CONDUCTING ONLINE NOTARIAL ACTS, TO PROVIDE REMOTE ONLINE NOTARIES PUBLIC MAY CHARGE FEES FOR PERFORMING REMOTE ONLINE NOTARIAL ACTS, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE IMPROPER PERFORMANCE OF REMOTE ONLINE NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM REMOTE ONLINE NOTARIAL ACTS ARE THE SAME AS PROVIDED BY

**THURSDAY, MARCH 14, 2019**

LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO SPECIFY CERTAIN RECORDING REQUIREMENTS THAT ARE CONSIDERED SATISFIED BY REMOTE NOTARIAL ACTS, AND TO PROVIDE REMOTE ONLINE NOTARY PUBLIC APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 498 -- Senators Shealy and Climer: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**THURSDAY, MARCH 14, 2019**

**POINT OF ORDER**

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE

**THURSDAY, MARCH 14, 2019**

THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION

**THURSDAY, MARCH 14, 2019**

25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**ADOPTED**

S. 552 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019 AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA TO HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THAT THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

The Resolution was adopted, ordered sent to the House.

H. 3015 -- Reps. McDaniel, King and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 32 IN FAIRFIELD COUNTY ALONG INTERSTATE HIGHWAY 77 THE "COUNTY COUNCILMEN DAVID BROWN & CARNELL MURPHY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THESE WORDS.

The Resolution was adopted, ordered returned to the House.

**THURSDAY, MARCH 14, 2019**

H. 3928 -- Reps. Sottile, Gilliard, McCoy, Mack, Hewitt, Pendarvis, Bennett, Cogswell, Mace and Brown: A CONCURRENT RESOLUTION TO REQUEST THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION RENAME THE PORTION OF THE NAVIGATIONAL CHANNEL ADJACENT TO THE CITY OF CHARLESTON WATERFRONT CONSISTING OF THE CHARLESTON MARITIME CENTER, INTERNATIONAL AFRICAN AMERICAN MUSEUM, AND THE PEDESTRIAN WALKWAY OF THE ARTHUR RAVENEL, JR. BRIDGE TO "RILEY REACH" IN ORDER TO HONOR THE LEGACY OF MAYOR JOSEPH P. RILEY, JR.

The Resolution was adopted, ordered returned to the House.

**Motion Adopted**

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

**EXECUTIVE SESSION**

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Medical Affairs Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2017, and to expire March 21, 2022

2nd Congressional District:

Llewellyn Gregory Pearce, Jr., 810 Hampton Hill Rd., Columbia, SC 29209-1024 *VICE* James Buxton Terry

On motion of Senator VERDIN, the question was confirmation of Llewellyn Gregory Pearce.

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

**Ayes 39; Nays 0**



THURSDAY, MARCH 14, 2019

AYES

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

**Total--39**

NAYS

**Total--0**

The appointment of Llewellyn Gregory Pearce was confirmed.

Initial Appointment, South Carolina State Board of Medical Examiners, with the term to commence December 31, 2018, and to expire December 31, 2022

Director:

Theresa Mills - Floyd, 47 Love Valley Court, Chapin, SC 29036-8591  
*VICE* Daniel F. Saad

On motion of Senator VERDIN, the question was confirmation of Theresa Mills-Floyd.

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

**Ayes 39; Nays 0**

AYES

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

**THURSDAY, MARCH 14, 2019**

Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

**Total--39**

**NAYS**

**Total--0**

The appointment of Theresa Mills-Floyd was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2017, and to expire June 30, 2021

5th Congressional District:

Richard V. Lee, Jr., 623 Meadowbrook Lane, Rock Hill, SC 29730-3730 *VICE* Ann B. Kirol

On motion of Senator VERDIN, the question was confirmation of Richard V. Lee.

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

**Ayes 39; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler

[SJ]

**THURSDAY, MARCH 14, 2019**

Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

**Total--39**

**NAYS**

**Total--0**

The appointment of Richard V. Lee was confirmed.

Having received a favorable report from the Transportation Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2015, and to expire February 13, 2020

At-Large :

Mark D. Buyck, P.O. Box 1909, Florence, SC 29503-1909 *VICE* Cary Daniel Adams

On motion of Senator LEATHERMAN, the question was confirmation of Mark D. Buyck.

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

**Ayes 36; Nays 1**

**AYES**

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

**THURSDAY, MARCH 14, 2019**

**Total--36**

**NAYS**

*Matthews, Margie*

**Total--1**

The appointment of Mark D. Buyck was confirmed.

**Motion Adopted**

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

**ADJOURNMENT**

At 12:53 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

\* \* \*

**THURSDAY, MARCH 14, 2019**

**SENATE JOURNAL INDEX**

S. 11.....	<b>32</b>	S. 658.....	<b>4</b>
S. 132.....	<b>11</b>	S. 659.....	<b>4</b>
S. 136.....	<b>24</b>	S. 660.....	<b>4</b>
S. 162.....	<b>26</b>	S. 661.....	<b>5</b>
S. 189.....	<b>32</b>	S. 662.....	<b>5</b>
S. 203.....	<b>7</b>	S. 663.....	<b>5</b>
S. 206.....	<b>33</b>	S. 664.....	<b>6</b>
S. 252.....	<b>33</b>	S. 665.....	<b>6</b>
S. 283.....	<b>8</b>	S. 666.....	<b>6</b>
S. 413.....	<b>34</b>	S. 667.....	<b>6</b>
S. 440.....	<b>27</b>	S. 668.....	<b>7</b>
S. 463.....	<b>24</b>	S. 669.....	<b>7</b>
S. 474.....	<b>10</b>		
S. 475.....	<b>10</b>	H. 3015.....	<b>38</b>
S. 486.....	<b>34</b>	H. 3127.....	<b>9</b>
S. 498.....	<b>35</b>	H. 3180.....	<b>36</b>
S. 509.....	<b>28</b>	H. 3420.....	<b>37</b>
S. 525.....	<b>9</b>	H. 3438.....	<b>37</b>
S. 552.....	<b>38</b>	H. 3449.....	<b>14</b>
S. 651.....	<b>36</b>	H. 3576.....	<b>8</b>
S. 652.....	<b>36</b>	H. 3595.....	<b>29</b>
S. 653.....	<b>2</b>	H. 3928.....	<b>39</b>
S. 656.....	<b>3</b>	H. 3985.....	<b>31</b>
S. 657.....	<b>3</b>	H. 3987.....	<b>10</b>