

NO. 43

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

WEDNESDAY, APRIL 7, 2021
(STATEWIDE SESSION)

Wednesday, April 7, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 133: “How very good and pleasant it is when kindred live together in unity!”

Let us pray. Good and gracious God, we give You thanks and praise that we are here working together to do for the people of this State all that needs to be done. Keep each of these Representatives and staff in Your care as they do their work. Keep our defenders of freedom and first responders under Your protection. Look in favor upon our World, Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Heal the wounds, those seen and those hidden, of our brave men and women who suffer and sacrifice for our freedom. Lord, in Your Mercy, hear our prayers. Amen.

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

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

MOTION ADOPTED

Rep. ATKINSON moved that when the House adjourns, it adjourn in memory of Mary Ann Elvington, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the family and friends of Mary Ann Elvington.

ROLL CALL

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

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett

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Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Robinson
Rose	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis
Wooten	Yow	

Total Present--119

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LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

CO-SPONSORS ADDED AND REMOVED

In accordance with House Rule 5.2 below:

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

CO-SPONSOR ADDED

Bill Number: H. 3096
Date: ADD:
04/07/21 B. NEWTON

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CO-SPONSOR ADDED

Bill Number: H. 3130
Date: ADD:
04/07/21 DAVIS

CO-SPONSORS ADDED

Bill Number: H. 3620
Date: ADD:
04/07/21 HOSEY and CLYBURN

CO-SPONSOR ADDED

Bill Number: H. 3834
Date: ADD:
04/07/21 POPE

CO-SPONSOR ADDED

Bill Number: H. 3988
Date: ADD:
04/07/21 HUGGINS

CO-SPONSORS ADDED

Bill Number: H. 4000
Date: ADD:
04/07/21 ELLIOTT and B. COX

CO-SPONSOR ADDED

Bill Number: H. 4017
Date: ADD:
04/07/21 HILL

CO-SPONSOR ADDED

Bill Number: H. 4153
Date: ADD:
04/07/21 M. M. SMITH

CO-SPONSOR ADDED

Bill Number: H. 4158
Date: ADD:
04/07/21 BRAWLEY

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CO-SPONSOR REMOVED

Bill Number: H. 4133
Date: REMOVE:
04/07/21 ROBINSON

LEAVE OF ABSENCE

The SPEAKER granted Rep. ERICKSON a temporary leave of absence.

S. 515--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 515 -- Senators Stephens and Hutto: A BILL TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES' DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD'S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

Rep. OTT proposed the following Amendment No.1 to S. 515 (COUNCIL\ZW\515C001.CC.ZW21COUNCIL\ZW\515C001.CC.ZW 21), which was adopted:

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

/ SECTION 1. SECTION 3(B)(5) of Act 280 of 2018 is amended to read:

“(5) adopt attendance zones of schools within the school district except that, through school year 2021-2022, existing attendance zones cannot be changed unless the federal court order regarding attendance zones is rescinded or amended during this period. However, no elementary, middle, or high school may be closed until three public hearings are held at least two weeks apart within the affected attendance area, with information to include, among other things, a delineation of

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the cost factors involved in keeping the school open and transporting the students to another school. In addition to the public hearings requirement, if a school in an attendance area that existed before consolidation is to be closed and the students of that school moved to a school in another attendance area, the qualified electors within the attendance area where the school is to be closed also first must approve the closing by referendum. ~~This referendum may not be held at the same time as a school bond referendum.~~ A school building that is the responsibility of the board of trustees of the school district must be maintained in conformity with all applicable building code standards and requirements to protect and ensure the health, safety, and welfare of students, faculty, administrators, and the general public. The provisions of this item do not apply if the board determines that:

(a) a school building or structure is an imminent threat to the health or safety of students or staff; or

(b) the needed upgrades and repairs to maintain a school building or structure are economically unfeasible;”

SECTION 2. SECTION 5 of Act 280 of 2018 is amended to read:

“SECTION 5. (A) The board of trustees of the school district, before July first of each year, shall prepare a school district budget for the ensuing school year. Before September second of each year, the board shall notify the county auditor and treasurer in writing of the millage required for the operation of the schools in the district for the ensuing school year. The notice by the board constitutes authority for the levying and collection of the millage upon all of the real and personal property within the school district. The levy must be placed to the credit of the district and expended for the district. ~~Beginning in 2019, the school district may raise its millage by no more than two mills over that levied for the previous year, in addition to any millage needed to adjust for the EFA inflation factor and sufficient to meet the requirements of Section 59-21-1030.~~ Beginning with fiscal year 2022-2023, the school district may raise its millage to two mills over that levied for fiscal year 2021-2022, in addition to the inflation factor as estimated by the EFA and meeting the requirements of Section 59-21-1030. An increase above ~~this two~~ these mills for operations may be levied only after a majority of the registered electors of the district vote in favor of the millage increase in a referendum called by the district school board and conducted by the county election commission.

(B) The board shall hold a public hearing prior to its final approval of the budget for the district. Notice of this public hearing must be placed

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in a newspaper of general circulation in the district at least fifteen days before the public hearing.

~~(C) For purposes of determining the previous year's millage of the district upon its creation, the millage levy for the district must be determined and calculated by the board based on the 2018 levy in each of the three districts and the value of a mill in each district as well as the 2018 countywide school millage levy and the value of a mill in the county. Beginning in fiscal year 2021-22, the operational millage levy for the district shall be two hundred nineteen mills."~~

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

Rep. OTT 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 90; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Bryant
Bustos	Calhoon	Carter
Caskey	Chumley	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Felder	Fry	Gagnon
Gatch	Gilliard	Govan
Haddon	Hardee	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hosey	Hyde	Jefferson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Martin
May	McCravy	McDaniel

[HJ]

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McGarry	McGinnis	T. Moore
Morgan	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rivers	Robinson
Rose	Sandifer	Simrill
G. M. Smith	M. M. Smith	Stringer
Taylor	Tedder	Thayer
Thigpen	Trantham	West
Wetmore	White	Whitmire
R. Williams	Willis	Wooten

Total--90

Those who voted in the negative are:

Total--0

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

SENT TO THE SENATE

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

H. 3614 -- Reps. Lucas, Allison, Felder and McDaniel: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-39-105 SO AS TO PROVIDE HIGH SCHOOL SENIORS SHALL COMPLETE AND SUBMIT A FREE APPLICATION FOR FEDERAL STUDENT AID BEFORE GRADUATING FROM HIGH SCHOOL, TO PROVIDE EXEMPTIONS, TO PROVIDE RELATED REQUIREMENTS FOR THE IMPLEMENTATION OF THESE PROVISIONS, AND TO MAKE THESE PROVISIONS APPLICABLE BEGINNING WITH THE 2022-2023 SCHOOL YEAR.

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT

[HJ]

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HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

H. 3319 -- Reps. King, McDaniel, Henderson-Myers, S. Williams, Rivers and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE STUDENTS ELIGIBLE FOR FREE AND REDUCED-PRICE MEALS MUST BE OFFERED THE SAME FEDERALLY REIMBURSABLE MEAL AS INELIGIBLE STUDENTS, TO PROVIDE SUCH MEALS MUST BE OFFERED REGARDLESS OF WHETHER STUDENTS OWE MONEY FOR PREVIOUS MEALS, TO PROVIDE SCHOOLS THAT OFFER FOOD AND BEVERAGES SEPARATELY FROM FEDERALLY REIMBURSABLE MEALS MAY NOT ALLOW STUDENTS TO ACCRUE BALANCES WHEN PURCHASING SUCH ITEMS AND ONLY MAY ACCEPT CASH PAYMENT OR ALLOW FUNDS TO BE ELECTRONICALLY DRAWN FROM PREPAID BALANCES, TO PROVIDE SCHOOLS AND SCHOOL DISTRICTS MAY NOT PENALIZE STUDENTS FOR FAILING TO PAY FOR SCHOOL LUNCHES, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP AND PROVIDE A MODEL POLICY AND TEMPLATE REGARDING THE COLLECTION OF SCHOOL MEAL DEBT TO EACH SCHOOL DISTRICT.

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J. L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE

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CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

H. 3941 -- Reps. Alexander, Allison, Kirby and Matthews: A JOINT RESOLUTION TO ENCOURAGE PUBLIC SCHOOL DISTRICTS TO DEVELOP AND IMPLEMENT EMERGENCY SICK LEAVE PLANS USING CERTAIN FEDERAL FUNDS INTENDED FOR COVID-19 RELIEF, TO PROVIDE REQUIREMENTS FOR SUCH PLANS, TO PROVIDE RELATED SUPPORT REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE PROTECTIONS FOR SCHOOL DISTRICT EMPLOYEES WHO USE SUCH EMERGENCY SICK LEAVE, AND TO PROVIDE RELATED REPORTING REQUIREMENTS OF LOCAL SCHOOL DISTRICTS AND THE STATE DEPARTMENT OF EDUCATION.

H. 3883 -- Rep. Collins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION.

H. 4006 -- Reps. G. M. Smith and Weeks: A BILL TO AMEND SECTION 2.B. OF ACT 167 OF 2020, RELATING TO AN INCREASED LIMIT FOR CERTAIN OFF-PREMISES SALES, SO AS TO EXTEND THE INCREASE UNTIL MAY 31, 2022.

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC

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WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

H. 4060 -- Reps. Sandifer and Thayer: A BILL TO AMEND SECTION 6-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDING CODE ADOPTION PROCEDURES, SO AS TO PROVIDE THAT THE SOUTH CAROLINA BUILDING CODES COUNCIL ALSO IS AUTHORIZED TO DENY THE RESIDENTIAL BUILDING CODES WITHIN A CERTAIN TIME FRAME, TO PROVIDE THAT THE COUNCIL ALSO MAY DENY

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THE STUDY COMMITTEE'S REPORT OF RECOMMENDATIONS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE COUNCIL MUST PROVIDE A PRELIMINARY FISCAL IMPACT STATEMENT.

H. 3243 -- Reps. Collins, Bernstein, Kimmons, Forrest, Herbkersman, Erickson, W. Cox, Elliott, Carter, Cobb-Hunter, Rutherford, King, Henegan, Wheeler, Thigpen, Pendarvis, Rose, Bamberg, Dillard, McKnight, Garvin, Stavrinakis, Ott, Weeks, Atkinson, R. Williams, Jefferson, Kirby, J. L. Johnson, Cogswell, Caskey, Matthews, S. Williams and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO ARE LAWFULLY PRESENT IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

H. 4098 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY-STATE CROP PEST COMMISSION, RELATING TO ASIAN LONGHORNED BEETLE QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5015, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 4099 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3546 -- Reps. W. Newton, Pope, Dillard, Bradley, Erickson, S. Williams, Rivers and Weeks: A BILL TO AMEND SECTION 1-30-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM,

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SO AS TO ESTABLISH OBJECTIVES FOR THE SOUTH CAROLINA FILM COMMISSION.

H. 3144 -- Reps. White, Robinson, Thigpen, V. S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: 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 SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

H. 3948 -- Reps. Stavrinakis, Murphy and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

H. 3560 -- Reps. Bernstein, Herbkersman, Henegan, Pope, Rutherford, Finlay, Stavrinakis, Collins, W. Newton, Wheeler, Jordan, Ballentine, Garvin, J. E. Johnson, Brawley, Elliott, Rose, B. Newton, Robinson, Kirby, Haddon, V. S. Moss, Caskey, J. L. Johnson, Cobb-Hunter, Yow, Dillard, Willis, Weeks, Matthews, S. Williams, Rivers, Henderson-Myers, King and McDaniel: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO PROVIDE TWELVE WEEKS OF PAID FAMILY LEAVE FOR STATE EMPLOYEES DUE TO THE BIRTH OR ADOPTION OF A SON OR DAUGHTER.

H. 3545 -- Reps. W. Newton, Erickson, Bradley, Rivers and S. Williams: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF

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OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

H. 3547 -- Rep. W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING CHAPTER 9 OF TITLE 51 RELATING TO THE FORT WATSON MEMORIAL; AND BY REPEALING SECTIONS 53-3-90 AND 53-3-100 BOTH RELATING TO "FAMILY WEEK IN SOUTH CAROLINA".

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H. 3354 -- Rep. Ballentine: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF AND OPERATING AT NO GREATER THAN TWENTY KILOWATTS.

H. 3482 -- Reprs. Stavrinakis, Kirby, Pendarvis, J. Moore, Henegan, Wetmore, Weeks, Wheeler and Henderson-Myers: A BILL TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

H. 4064 -- Reprs. G. M. Smith, Sandifer and Weeks: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

H. 3681--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3681 -- Reprs. Simrill, Rutherford, Bannister, West and Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC SMOKING DEVICES, E-LIQUID, VAPOR PRODUCTS, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO DECEMBER 31, 2020, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3681 (COUNCIL\VR\3681C001.CC.VR21), which was adopted:

[HJ]

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

/ SECTION 1. Chapter 95, Title 44 of the 1976 Code is amended by adding:

“Section 44-95-45. (A) Political subdivisions of this State may not enact any laws, ordinances, or rules pertaining to ingredients, flavors, or licensing, beyond a general business license, related to the sale of the following products:

- (1) cigarettes, as defined in Section 12-21-620;
- (2) electronic smoking devices, e-liquid, vapor products, tobacco products, or alternative nicotine products, each as defined in Section 16-17-501; or
- (3) any other product containing nicotine that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any means.

(B) Nothing in this section shall be construed to interfere with a political subdivision’s authority to determine its own public use policies relating to any of the products referenced in this section.”

SECTION 2. Laws, ordinances, or rules enacted by political subdivisions of this State prior to December 31, 2020, pertaining to ingredients, flavors, or licensing, related to the sale of cigarettes, electronic smoking devices, e-liquid, vapor products, tobacco products, alternative nicotine products, or any other products containing nicotine that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any means, and municipal code amendments to said laws, ordinances, or rules, are exempt from the preemption imposed by this act. Nothing in this act shall be construed to interfere with a political subdivision’s authority to determine its own public use policies relating to any of the products referenced in this act.

SECTION 3. Nothing in this act shall be construed to interfere with a political subdivision’s authority under Chapter 29, Title 6, including, without limitation, with respect to land use regulation, land development regulation, zoning, or permitting.

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

Rep. CASKEY explained the amendment.

Rep. HILL spoke upon the amendment.

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The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 80; Nays 23

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bamberg
Bannister	Bennett	Blackwell
Brittain	Burns	Bustos
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Dabney	Davis	Dillard
Elliott	Forrest	Gagnon
Gatch	Gilliam	Gilliard
Haddon	Henderson-Myers	Herbkersman
Hewitt	Hill	Hiott
Hosey	Huggins	Hyde
Jefferson	J. E. Johnson	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	T. Moore
Morgan	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Parks	Robinson
Sandifer	Simrill	M. M. Smith
Stringer	Taylor	Thayer
Thigpen	Trantham	West
White	Whitmire	R. Williams
Willis	Wooten	

Total--80

Those who voted in the negative are:

Bernstein	Brawley	Bryant
Calhoon	Cogswell	Daning

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Felder	Fry	Garvin
Hardee	Henegan	J. L. Johnson
K. O. Johnson	Magnuson	D. C. Moss
Ott	Rivers	Rose
G. R. Smith	Stavrinakis	Tedder
Wetmore	Yow	

Total--23

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

H. 4017--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: 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 2020, 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, AND TO PROVIDE FOR THE TAX TREATMENT OF THE PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 4017 (COUNCIL\DG\4017C003.NBD.DG21), which was adopted:

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

/ SECTION ___. (A) The following amendments in the Coronavirus Aid, Relief, and Economic Security Act (CARES) of 2020, P.L. 116-136 (March 27, 2020) are specifically not adopted by this State:

(1) Internal Revenue Code (IRC) Section 62(a)(22) relating to the \$300 charitable deduction allowed in 2020 for persons who claim the standard deduction;

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(2) Section 2205(a), (b) and (c) of the CARES Act relating to the modification of limitations on individual and corporate cash charitable contributions for 2020 and relating to the increase in limits on charitable contributions of food inventory for 2020;

(3) IRC Section 172(a) relating to the modification of the income limitations allowed for the use of net operating losses in tax years 2018, 2019, and 2020;

(4) IRC Section 461(l) relating to the modification of the limitation on losses allowed for non-corporate taxpayers in tax years 2018, 2019, and 2020.

(B) The following amendments in the Consolidated Appropriations Act of 2021, P.L. 116-260 (December 27, 2020) are specifically not adopted by this State:

(1) Amendment to Division N Section 275 relating to the allowance of personal protective equipment expenses for the educator expense deduction under IRC Section 62(a)(2)(D)(ii);

(2) IRC Section 274(n) relating to the temporary allowance of the full business deduction for business meals that are paid or incurred after December 30, 2020, and before January 1, 2023;

(3) IRC Section 170(p) relating to the \$300 or \$600 charitable deduction allowed in 2021 for persons taking the standard deduction;

(4) Amendment to CARES Act Section 2205 relating to the temporary extension of the modification of limitations on individual and corporate cash charitable contributions and the increase in limits on charitable contributions of food inventory to tax year 2021;

(5) Amendments to the Taxpayer Certainty and Disaster Tax Relief Act of 2020, P.L. 116-260 Division EE Section 304 relating to the special rules for qualified disaster relief for charitable contributions and special rules for qualified disaster related personal casualty losses.

SECTION ____ . For tax year 2020, the amendment in the American Rescue Plan of 2021, P.L. 117-2 (March 11, 2021) relating to the exclusion from taxable income for tax year 2020 of \$10,200 of unemployment compensation for a taxpayer with less than \$150,000 in federal adjusted gross income is specifically adopted by South Carolina. /

Renumber sections to conform.

Amend title to conform.

Rep. SIMRILL explained the amendment.

The amendment was then adopted.

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The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Felder
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hosey	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	May
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pope
Rivers	Robinson	Rose
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Stringer	Taylor	Tedder
Thayer	Thigpen	Trantham
West	Wetmore	Wheeler

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White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--108

Those who voted in the negative are:

Total--0

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. THIGPEN a temporary leave of absence.

H. 3786--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3786 -- Reps. G. M. Smith, Murphy and Weeks: A BILL TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS.

The Ways and Means Committee proposed the following Amendment No. 1 to H. 3786 (COUNCIL\SA\3786C001.BH.SA21), which was adopted:

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

/ SECTION 1. Section 1-1-1210 of the 1976 Code, as last amended by Act 178 of 2018, is further amended to read:

“Section 1-1-1210. (A) The annual salaries of the state officers listed below are:

Governor	\$98,000
Lieutenant Governor	43,000
Secretary of State	85,000
State Treasurer	85,000
Attorney General	85,000
Comptroller General	85,000
Superintendent of Education	85,000
Adjutant General	85,000
Commissioner of Agriculture	85,000

(B) These salaries must be increased by two percent on July 1, 1991, and on July first of each succeeding year through July 1, 1994.

(C) A state officer whose salary is provided in this section may not receive compensation for ex officio service on any state board, committee, or commission.

(D) Beginning with Fiscal Year 2022-2023, and beginning when the state officer’s term commences and lasting until the term concludes, with the exception of the Governor and Lieutenant Governor, salaries for the state officers listed in subsection (A) must be based on recommendations by the Agency Head Salary Commission to the General Assembly as provided in Sections 8-11-160 and 8-11-165.”

SECTION 2. Section 8-11-160 of the 1976 Code is amended to read:

“Section 8-11-160. (A) All boards and commissions are required to submit justification of an agency head’s performance and salary recommendations to the Agency Head Salary Commission.

(B) This commission consists of four appointees of the chairman of the House Ways and Means Committee, four appointees of the chairman of the Senate Finance Committee, and three appointees of the Governor with experience in executive compensation.

(C) Beginning with Fiscal Year 2022-2023:

(1) salaries for the term of state officers listed in Section 1-1-1210(A) must be based on recommendations by the Agency Head Salary Commission to the General Assembly; and

(2) the Agency Head Salary Commission shall authorize a study be conducted every four years to recommend a salary range for each state

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constitutional officer based on their job duties and responsibilities as well as the pay of state constitutional officers in other states.

(D) Salary increases for agency heads must be based on recommendations by each agency board or commission to the Agency Head Salary Commission and their recommendations to the General Assembly.”

SECTION 3. Section 8-11-165 of the 1976 Code is amended to read:

“Section 8-11-165. (A) It is the intent of the General Assembly that:

(1) A salary and fringe benefit survey for agency heads must be conducted by the ~~Office of Human Resources of the Department of Administration~~ State Fiscal Accountability Authority every ~~three~~ four years. The staff of the ~~office~~ authority shall serve as the support staff to the Agency Head Salary Commission.

(2) Beginning with the Fiscal Year 2022-2023 and every four years thereafter, the Agency Head Salary Commission shall commission a study to recommend a salary range for the term of each state constitutional officer listed in Section 1-1-1210 based on each state constitutional officer’s job duties and responsibilities as well as the pay of other state constitutional officers in other states. The commission shall then determine a salary for the term of each state constitutional officer within the recommended pay range subject to funding being provided in the annual appropriations act.

(B) No employee of agencies reviewed by the Agency Head Salary Commission may receive a salary in excess of ninety-five percent of the midpoint of the agency head salary range or the agency head actual salary, whichever is greater, except on approval of the ~~State Budget and Control Board~~ Director of the Division of State Human Resources at the Department of Administration, and except for employees of higher education technical colleges, colleges, and universities.

~~No president of a technical college may receive a salary in excess of ninety five percent of the midpoint of the agency head salary range or the agency head actual salary, whichever is greater, except on approval of the Agency Head Salary Commission and the State Budget and Control Board.~~

(C) The Agency Head Salary Commission may recommend to the ~~State Budget and Control Board~~ General Assembly that agency head salaries be adjusted to the minimum of their salary ranges and may recommend to the board that agency head salaries be adjusted when necessary up to the midpoints of their respective salary ranges. These

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increases must be based on criteria developed and approved by the Agency Head Salary Commission.

(D) All new members appointed to a governing board of an agency where the performance of the agency head is reviewed and ranked by the Agency Head Salary Commission shall attend the training in agency head performance appraisal provided by the commission within the first year of their appointment unless specifically excused by the chairman of the Agency Head Salary Commission.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER 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 4

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Brawley	Brittain
Bryant	Burns	Bustos
Carter	Caskey	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Elliott
Felder	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Haddon
Hardee	Hart	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hosey	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Ligon	Long	Lowe
Lucas	Magnuson	McDaniel

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McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	Nutt	Oremus
Ott	Parks	Pope
Rivers	Robinson	Rose
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinnakis
Stringer	Taylor	Tedder
Thayer	Trantham	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis
Wooten	Yow	

Total--98

Those who voted in the negative are:

Dabney	Hill	May
McCabe		

Total--4

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

STATEMENT FOR JOURNAL

April 7, 2021
The Honorable Speaker of the House James H. "Jay" Lucas
506 Blatt Building
South Carolina House of Representatives

Dear Speaker Lucas,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 3786, which is a bill to increase the salaries of state constitutional officers. I will abstain from this vote in order to avoid any appearance of impropriety and to avoid any potential conflict of interest. Please note this in the House Journal for April 7, 2021.

Rep. John R. McCravy III

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

RECURRENCE TO THE MORNING HOUR

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

REPORT OF STANDING COMMITTEE

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

S. 38 -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

Ordered for consideration tomorrow.

S. 698--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

S. 698 -- Senators Peeler, Climer, Hutto, Williams, Talley, Leatherman, K. Johnson, Sabb, McElveen, Setzler, Alexander, Goldfinch, Gambrell, Grooms, Cromer, Shealy, Davis, Young, Rice,

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Stephens and Campsen: A JOINT RESOLUTION TO AUTHORIZE THE USE OF CERTAIN FUNDS FROM THE WAREHOUSE RECEIPTS GUARANTY FUND TO PAY CERTAIN COTTON PRODUCER CLAIMS, TO PROVIDE THAT THE COTTON PRODUCER SHALL SUBROGATE HIS INTEREST IN A CAUSE OF ACTION, AND TO PROVIDE FOR THE RETURN OF CERTAIN FUNDS TO THE WAREHOUSE RECEIPTS GUARANTY FUND.

Rep. V. S. MOSS explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Felder
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray

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B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Robinson	Rose
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Stringer	Taylor	Tedder
Thayer	Trantham	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis
Wooten	Yow	

Total--110

Those who voted in the negative are:

Total--0

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

OBJECTION TO RECALL

Rep. ALLISON asked unanimous consent to recall S. 704 from the Committee on Education and Public Works.

Rep. KING objected.

**H. 3549--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3549 -- Reps. Ott, Kirby, Bryant and Pope: A BILL TO AMEND SECTION 50-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OFFER A LICENSE, PERMIT, OR TAG MADE OF A DURABLE MATERIAL AND TO ESTABLISH A FEE; AND TO AMEND SECTION 50-9-50, RELATING TO THE POSSESSION OF A HUNTING OR FISHING LICENSE, PERMIT, OR STAMP, SO AS TO ALLOW FOR A PERSON HUNTING OR FISHING TO DISPLAY THEIR LICENSE, PERMIT, OR STAMP ELECTRONICALLY.

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Rep. OTT 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
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	May	McCabe
McDaniel	McGarry	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Robinson
Rose	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stringer	Taylor	Tedder
Thayer	Trantham	West
Wetmore	White	Whitmire

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R. Williams
Yow

Willis

Wooten

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. 3770--POINT OF ORDER

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

H. 3770 -- Reps. G. M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM, AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED.

POINT OF ORDER

Rep. FORREST made the Point of Order that the Senate Amendments were improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to such reading.

The SPEAKER sustained the Point of Order.

H. 3925--POINT OF ORDER

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

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoun, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL

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INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

POINT OF ORDER

Rep. FORREST made the Point of Order that the Senate Amendments were improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to such reading.

The SPEAKER sustained the Point of Order.

MOTION PERIOD

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

H. 3755--DEBATE ADJOURNED

The following Bill was taken up:

H. 3755 -- Reps. Murphy, Bryant, Pope, Yow, Simrill, Hardee, Trantham, Oremus, W. Newton, Ligon, Bennett, Fry, Bannister, Carter, Caskey, Forrest, Hixon, Kimmons, McGarry, V. S. Moss, G. M. Smith, Taylor, Thayer, McCabe, Dabney, B. Newton, Elliott, Atkinson and Huggins: 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 SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS 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, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS

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HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

Rep. MURPHY moved to adjourn debate on the Bill, which was agreed to.

H. 3466--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones:
A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

Rep. JONES spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 2

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Dabney
Daning	Davis	Dillard
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hosey	Huggins	Hyde

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Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pendarvis	Pope	Robinson
Rose	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Taylor
Tedder	Thayer	Trantham
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--108

Those who voted in the negative are:

W. Cox Hill

Total--2

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

H. 3096--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3096 -- Reps. B. Cox, Magnuson, Burns, Forrest, Morgan, Haddon, Jones, McCabe, McCrary, Elliott, G. R. Smith, Taylor, Oremus, Trantham, May, Kimmons, Chumley, Long, Stringer, Wooten, McGarry, Fry, V. S. Moss, Hill, Thayer, Caskey, Nutt, T. Moore, Ligon, Hardee, Yow, Hixon, Huggins, Crawford, Willis, Hiott, White, M. M. Smith, Hyde, Martin, Dabney, Gagnon, D. C. Moss, Bailey and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2021"; TO AMEND SECTION

[HJ]

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10-11-320, RELATING TO CARRYING OR DISCHARGING OF A FIREARM, SO AS TO DELETE THE TERM "CONCEALABLE WEAPONS PERMIT" AND REPLACE IT WITH THE TERM "FIREARM"; TO AMEND SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO REVISE THE LOCATIONS AND CIRCUMSTANCES WHERE CARRYING A HANDGUN IS LEGAL; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES ASSOCIATED WITH VIOLATING CERTAIN HANDGUN LAWS, SO AS TO PROVIDE THAT THE PENALTIES DO NOT APPLY TO A PERSON CARRYING A CONCEALABLE WEAPON ONTO A PREMISE THAT DISPLAYS A SIGN THAT PROHIBITS THE CARRYING OF A CONCEALABLE WEAPON; TO AMEND SECTIONS 16-23-420 AND 16-23-430, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE THAT BOTH SECTIONS DO NOT APPLY TO A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR CARRYING A FIREARM INTO A BUSINESS THAT SELLS ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO A PERSON WHO VIOLATES CERTAIN OFFENSES, AND TO PROVIDE ADDITIONAL CIRCUMSTANCES WHEN IT DOES APPLY TO CERTAIN OFFENSES; TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, TO REVISE THE PROVISION THAT LISTS THE PLACES UPON WHICH A PERSON MAY NOT CARRY A CONCEALABLE WEAPON, TO REVISE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO CARRY A CONCEALABLE WEAPON WITHOUT A PERMIT, AND REVISE THE PENALTIES THAT MAY BE IMPOSED PURSUANT TO THIS SECTION; TO AMEND SECTION 23-31-220, RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THIS PROVISION REGULATES BOTH

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PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT, AND TO PROVIDE THIS PROVISION APPLIES TO A PERSON WHO KNOWINGLY BRINGS A CONCEALABLE WEAPON ONTO A PREMISE OR WORKPLACE; TO AMEND SECTION 23-31-235, RELATING TO THE POSTING OF SIGNS THAT PROHIBIT THE CARRYING OF CONCEALABLE WEAPONS ONTO A PREMISE, SO AS TO PROVIDE THE SIGNAGE PROHIBITS BOTH PERMIT HOLDERS AND NON-PERMIT HOLDERS FROM CARRYING A WEAPON ONTO THE PREMISE; AND TO REPEAL SECTIONS 16-23-460, 23-31-225, AND 23-31-230 RELATING TO UNLAWFULLY CARRYING A CONCEALED DEADLY WEAPON, AND CARRYING A CONCEALABLE WEAPON FROM A MOTOR VEHICLE TO CERTAIN RENTAL DWELLINGS.

Reps. MAGNUSON and FRY proposed the following Amendment No. 1 to H. 3096 (COUNCIL\AHB\3096C004.BH.AHB21), which was adopted:

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

/ SECTION ____ Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 9

Constitutional Carry/Second Amendment Preservation Act

Section 23-31-910. This article may be referred to as the ‘Constitutional Carry/Second Amendment Preservation Act’.

Section 23-31-920. The General Assembly finds that the Second Amendment to the United States Constitution protects an individual’s right to openly carry firearms, to ‘keep and bear arms’ and to further provide that the right to keep and bear arms may not be infringed.

Section 23-31-930. (A) Notwithstanding another provision of law:

(1) no public funds of this State, or any political subdivision of this State, shall be allocated for the implementation, regulation, or enforcement of any executive order, or directive issued by the President of the United States or an act of the United States Congress that contradicts the provisions of this act relating to Constitutional Carry, or that otherwise regulates the ownership, use, or possession of firearms, ammunition, or firearm accessories if passed after January 1, 2021; and

(2) no personnel or property of this State, or any political subdivision of this State, shall be allocated to the implementation, regulation, or enforcement of any executive order, or directive issued by

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the President of the United States that contradicts the provisions of this act relating to Constitutional Carry, or that regulates the ownership, use, or possession of firearms, ammunitions, or firearm accessories if passed after January 1, 2021.

(B) For purposes of this section, ‘firearm’ has the same meaning as defined in Section 23-31-1050(3).” /

Renumber sections to conform.

Amend title to conform.

Rep. MAGNUSON explained the amendment.

Rep. FRY spoke in favor of the amendment.

Rep. CASKEY spoke upon the amendment.

Rep. CASKEY spoke upon the amendment.

Rep. BAMBERG spoke against the amendment.

POINT OF ORDER

Rep. STAVRINAKIS raised the Point of Order that under Rule 9.3 that Amendment No. 1 to H. 3096 was not germane to the Bill.

SPEAKER LUCAS overruled the Point of Order. He stated that Amendment No. 1 prohibited state and local dollars from being used to enforce a federal law or directive that would contradict the provisions of the Act and that the Amendment was germane.

Rep. BAMBERG continued speaking.

Rep. BAMBERG spoke against the amendment.

The amendment was then adopted.

Rep. BLACKWELL proposed the following Amendment No. 2 to H. 3096 (COUNCIL\CM\3096C002.GT.CM21), which was tabled:

Amend the bill, as and if amended, by STRIKING ALL AFTER THE ENACTING WORDS AND INSERTING THE FOLLOWING:

/ SECTION 1. This act may be cited as the “Open Carry With Training Act”.

SECTION 2. Section 23-31-210(5) of the 1976 Code is amended to read:

“(5) ‘Concealable weapon’ means a firearm having a length of less than twelve inches measured along its greatest dimension that ~~must~~ may be carried openly on one’s person or in a manner that is hidden from

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public view in normal wear of clothing except when needed for self-defense, defense of others, and the protection of real or personal property.”

SECTION 3. Section 16-23-20(9) of the 1976 Code is amended to read:

“(9) a person in a vehicle if the handgun is:

(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver’s license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle’s passenger compartment; or

(b) carried openly or concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;”

SECTION 4. Section 23-31-220 of the 1976 Code is amended to read:

“Section 23-31-220. (a) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is licensed under this article from carrying a concealable or open carry weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable or open carry weapon upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating ‘No Concealable or Open Carrying of Weapons Allowed’ shall constitute notice to a person holding a permit issued pursuant to this article that the employer, owner, or person in legal possession or control requests that concealable or open carry weapons not be brought upon the premises or into the work place. A person who brings a concealable or open carry weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or

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subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (1).

(C) In addition to the provisions of subsection (b), a public or private employer or owner of a business may post a sign regarding the prohibition or allowance on those premises of concealable weapons or open carrying of weapons which may be unique to that business.”

SECTION 5. Section 23-31-235 of the 1976 Code is amended to read:

“Section 23-31-235. (A) Notwithstanding any other provision of this article, any requirement of or allowance for the posting of signs prohibiting the carrying of a concealable or open carry weapon upon any premises shall only be satisfied by a sign expressing the prohibition in both written language interdict and universal sign language.

(B) All signs must be posted at each entrance into a building where a concealable or open carry weapon permit holder is prohibited from carrying a concealable or open carry weapon and must be:

- (1) clearly visible from outside the building;
- (2) eight inches wide by twelve inches tall in size;

(3) contain the words ‘NO CONCEALABLE OR OPEN CARRYING OF WEAPONS ALLOWED’ in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

(4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five degree angle from the horizontal;

(5) a diameter of a circle; and

(6) placed not less than forty inches and not more than sixty inches from the bottom of the building’s entrance door.

(C) If the premises where concealable weapons are prohibited does not have doors, then the signs contained in subsection (A) must be:

(1) thirty-six inches wide by forty-eight inches tall in size;

(2) contain the words ‘NO CONCEALABLE OR OPEN CARRYING OF WEAPONS ALLOWED’ in black three-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

(3) contain a black silhouette of a handgun inside a circle thirty-four inches in diameter with a diagonal line that is two inches wide and runs from the lower left to the upper right at a forty-five degree angle

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from the horizontal and must be a diameter of a circle whose circumference is two inches wide;

(4) placed not less than forty inches and not more than ninety-six inches above the ground;

(5) posted in sufficient quantities to be clearly visible from any point of entry onto the premises.

(D) Nothing in this section prevents a public or private employer or owner of a business from posting a sign regarding the prohibition or allowance on those premises of concealable weapons or open carrying of weapons which may be unique to that business.”

SECTION 6. Section 23-31-210(4)(a) of the 1976 Code is amended to read:

“(a) a person who, within three years before filing an application, successfully has completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety. This education course must include, but is not limited to:

(i) information on the statutory and case law of this State relating to handguns and to the use of deadly force;

(ii) information on handgun use and safety;

(iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child; ~~and~~

(iv) the actual firing of the handgun in the presence of the instructor;

(v) properly securing a firearm in a holster;

(vi) ‘cocked and locked’ carrying of a firearm;

(vii) how to respond to a person who attempts to take your firearm from your holster; and

(viii) deescalation techniques and strategies.”

SECTION 7. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school; and

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(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school property for its services disclose and notify the district that persons are, or may be, carrying concealed weapons on the property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has the use and enjoyment of the property pursuant to this section.”

SECTION 8. Section 23-31-520 of the 1976 Code is amended to read:

~~“Section 23-31-520. This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or negligent discharge or public brandishment of firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.~~

(A) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event. However, if a permit is not applied for and issued prior to an event as described in this subsection, a county, municipality, or political subdivision may not exercise the provisions of this subsection. A person or entity hosting a public protest, rally, fair, parade, festival, or other organized event must post signs at the event when open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to them pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or the location of the event.

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(C) A county, municipality, or political subdivision may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest.”

SECTION 9. This act takes effect sixty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. BLACKWELL explained the amendment.

Rep. BLACKWELL moved to table the amendment, which was agreed to.

Rep. BLACKWELL moved to continue the Bill.

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

Yeas 42; Nays 74

Those who voted in the affirmative are:

Alexander	Anderson	Bamberg
Bernstein	Blackwell	Brawley
Bryant	Clyburn	Cobb-Hunter
Cogswell	Daning	Dillard
Felder	Finlay	Garvin
Gilliard	Govan	Hart
Henderson-Myers	Henegan	Hosey
Howard	Jefferson	J. L. Johnson
K. O. Johnson	King	Kirby
McDaniel	McKnight	Murray
Ott	Parks	Pendarvis
Rivers	Robinson	Rose
Stavrinakis	Tedder	Weeks
Wetmore	Wheeler	R. Williams

Total--42

Those who voted in the negative are:

Allison	Atkinson	Bailey
Ballentine	Bannister	Bennett
Bradley	Brittain	Burns

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Bustos	Calhoon	Carter
Caskey	Chumley	Collins
B. Cox	W. Cox	Crawford
Dabney	Davis	Elliott
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hill	Hiott	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McCrary	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stringer	Taylor
Thayer	Trantham	West
White	Whitmire	Willis
Wooten	Yow	

Total--74

So, the House refused to continue the Bill.

Rep. KING proposed the following Amendment No. 3 to H. 3096 (COUNCIL\DG\3096C003.NBD.DG21), which was tabled:

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

/ SECTION 2. Article 1, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-75. Notwithstanding any other provision of the South Carolina Constitutional Carry Act of 2021 or any other provision of law, a person may carry a handgun on all public property.” /

Amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . Section 10-11-320 of the 1976 Code is repealed. /

Renumber sections to conform.

Amend title to conform.

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Rep. KING explained the amendment.

Rep. KING spoke in favor of the amendment.

Rep. CASKEY spoke against the amendment.

Rep. BAMBERG spoke in favor of the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 68; Nays 46

Those who voted in the affirmative are:

Allison	Bailey	Bannister
Bennett	Blackwell	Bradley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Cogswell	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Forrest	Fry	Gagnon
Gatch	Gilliam	Hardee
Hewitt	Hill	Hiott
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Long
Lowe	Lucas	Magnuson
Martin	May	McCabe
McCrary	McGarry	McGinnis
T. Moore	Morgan	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Rose
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Stringer	Taylor
Thayer	Trantham	West
Wetmore	White	Whitmire
Willis	Yow	

Total--68

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Those who voted in the negative are:

Alexander	Anderson	Atkinson
Ballentine	Bamberg	Bernstein
Brawley	Bryant	Clyburn
Cobb-Hunter	Collins	Dillard
Felder	Finlay	Garvin
Gilliard	Govan	Haddon
Hart	Henderson-Myers	Henegan
Hosey	Howard	Huggins
Jefferson	J. L. Johnson	K. O. Johnson
King	Kirby	Ligon
McKnight	D. C. Moss	Murray
Ott	Parks	Pendarvis
Pope	Rivers	Robinson
Simrill	Tedder	Thigpen
Weeks	Wheeler	R. Williams
Wooten		

Total--46

So, the amendment was tabled.

Reps. BAMBERG, TEDDER and ROBINSON proposed the following Amendment No. 4 to H. 3096 (COUNCIL\AHB\3096C006. BH.AHB21), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION ____ . Article 1, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-40. Notwithstanding another provision of law to the contrary, a person convicted of a nonviolent felony shall have his right to carry a firearm restored after five years have passed since the conclusion of his sentence, including the service of any probation or parole.” /

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

Rep. BAMBERG spoke in favor of the amendment.

Rep. CASKEY spoke against the amendment.

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Rep. CASKEY moved to table the amendment.

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

Yeas 76; Nays 38

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Forrest	Fry	Gagnon
Gilliam	Haddon	Hardee
Herbkersman	Hewitt	Hiott
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCrary
McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Pope
Rose	Sandifer	Simrill
G. M. Smith	G. R. Smith	Stavrinakis
Stringer	Taylor	Thayer
West	Wetmore	White
Whitmire	Willis	Wooten
Yow		

Total--76

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bamberg	Bernstein	Brawley
Clyburn	Cobb-Hunter	Dillard
Garvin	Gatch	Gilliard

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Govan	Hart	Henderson-Myers
Henegan	Hill	Hosey
Howard	Jefferson	J. L. Johnson
K. O. Johnson	King	Kirby
McKnight	J. Moore	Murray
Ott	Parks	Rivers
Robinson	M. M. Smith	Tedder
Thigpen	Trantham	Weeks
Wheeler	R. Williams	

Total--38

So, the amendment was tabled.

Rep. McKNIGHT proposed the following Amendment No. 5 to H. 3096 (COUNCIL\AHB\3096C008.BH.AHB21), which was ruled out of order:

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

/ SECTION __. Article 5, Chapter 3, of Title 16 is repealed. /

Renumber sections to conform.

Amend title to conform.

Rep. MCKNIGHT explained the amendment.

POINT OF ORDER

Rep. CASKEY raised the Point of Order that under Rule 9.3 that Amendment No. 4 to H. 3096 was not germane to the Bill.

Rep. KNIGHT spoke against the Point of Order.

SPEAKER LUCAS sustained the Point of Order.

Rep. BAMBERG spoke against the Bill.

Rep. MCKNIGHT spoke against the Bill.

Rep. HENDERSON-MYERS proposed the following Amendment No. 6 to H. 3096 (COUNCIL\AHB\3096C009.BH.AHB21), which was tabled:

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

/ SECTION __. The provisions of Article 6, Chapter 11, Title 16 of the 1976 Code relating to the Protection of Persons and Property Act,

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commonly referred to as the “Stand Your Ground” law, are not applicable in situations in which all parties are lawfully openly carrying firearms as provided in this act. /

Renumber sections to conform.

Amend title to conform.

Rep. HENDERSON-MYERS explained the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 76; Nays 37

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bannister	Blackwell
Bradley	Brittain	Bryant
Burns	Calhoon	Carter
Caskey	Chumley	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Felder
Finlay	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Herbkersman
Hewitt	Hill	Hiott
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	May
McCabe	McCravy	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stringer	Taylor	Thayer
Trantham	West	White

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Whitmire Willis Wooten
Yow

Total--76

Those who voted in the negative are:

Alexander	Anderson	Bernstein
Brawley	Clyburn	Cobb-Hunter
Dillard	Garvin	Gilliard
Govan	Hart	Henderson-Myers
Henegan	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Kirby	McDaniel
McKnight	J. Moore	Murray
Ott	Parks	Pendarvis
Rivers	Robinson	Rose
Stavrinakis	Tedder	Thigpen
Weeks	Wetmore	Wheeler
R. Williams		

Total--37

So, the amendment was tabled.

Rep. MCKNIGHT spoke against the Bill.
Rep. R. WILLIAMS spoke against the Bill.
Rep. BLACKWELL spoke against the Bill.
Rep. GOVAN spoke against the Bill.

SPEAKER *PRO TEMPORE* IN CHAIR

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
Yeas 69; Nays 47

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bannister	Bennett
Bradley	Brittain	Burns
Carter	Caskey	Chumley

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Collins	B. Cox	W. Cox
Crawford	Dabney	Davis
Elliott	Forrest	Fry
Gagnon	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hill	Hiott	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McCrary	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stringer
Taylor	Thayer	Trantham
West	White	Whitmire
Willis	Wooten	Yow

Total--69

Those who voted in the negative are:

Anderson	Bamberg	Bernstein
Blackwell	Brawley	Bryant
Bustos	Clyburn	Cobb-Hunter
Cogswell	Daning	Dillard
Erickson	Felder	Finlay
Garvin	Gatch	Gilliard
Govan	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	King
Kirby	McDaniel	McKnight
J. Moore	Murray	Ott
Parks	Pendarvis	Pope
Rivers	Robinson	Rose
Simrill	Stavrinakis	Tedder
Thigpen	Weeks	Wetmore
Wheeler	R. Williams	

Total--47

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

STATEMENT FOR JOURNAL

Due to my prior engagement on a commitment for over a year, I was unable to vote in person on House Bill 3096. I am a sponsor of this Bill and would have voted in favor of the Bill.

Rep. Bill Hixon

STATEMENT FOR JOURNAL

Mr. Speaker and my fellow members, I appreciate your steadfast support for both restoring and defending liberty in our great State. John C. Calhoun once said that “it is harder to preserve than to obtain liberty.” As the Biden administration and US Congress are working to erode the rule of law and our Constitution - we must preserve liberty. For these reasons, it is imperative that we restore the natural right to keep and bear arms by promptly passing Constitutional Carry, and furthermore guard these foundational rights by interposing the State of South Carolina to not enforce orders that infringe on the Second Amendment rights and due process of South Carolinians. I ask for passage of H. 3096 Constitutional Carry amended with the Second Amendment Preservation Act. By acting promptly as a guard for our essential freedoms, we can ensure that law-abiding South Carolinians can always defend themselves and their families. Thank you for your unwavering support of our freedoms. May God bless you, the Great State of South Carolina, and the United States of America.

Dum spiro spero,
Rep. Stewart Jones

H. 3465--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3465 -- Reps. Gilliam, B. Newton, Atkinson, Long, McCravy, Forrest, Caskey, Felder, Matthews and Wheeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-42 SO AS TO PROVIDE A PERSON WHO HOLDS A PROFESSIONAL CERTIFICATE ISSUED BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION FOR TWENTY OR MORE YEARS AND WHO TEACHES IN THIS STATE FOR TWENTY OR MORE YEARS MAY RENEW ANNUALLY THE CERTIFICATE BY PARTICIPATING IN REQUIRED DISTRICT PROFESSIONAL DEVELOPMENT WITHOUT HAVING TO

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SATISFY ANY ADDITIONAL RENEWAL REQUIREMENTS, AND TO PROVIDE THESE PROVISIONS APPLY NOTWITHSTANDING THE PROVISIONS OF THE CERTIFICATE RENEWAL PLAN DEVELOPED BY THE OFFICE OF TEACHER CERTIFICATION OR ANOTHER PROVISION OF LAW.

Rep. GILLIAM proposed the following Amendment No. 2 to H. 3465 (COUNCIL\ZW\3465C001.CC.ZW21), which was tabled:

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

/ SECTION __. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59-26-42. A person who holds a professional certificate issued by the South Carolina Department of Education for twenty or more years and who teaches in this State for twenty or more years may renew annually the certificate by participating in required district professional development without having to satisfy any additional renewal requirements. The provisions of this section apply notwithstanding the provisions of the Certificate Renewal Plan developed by the Office of Teacher Certification or another provision of law.” /

Renumber sections to conform.

Amend title to conform.

Rep. GILLIAM moved to table the amendment, which was agreed to.

Rep. FELDER proposed the following Amendment No. 5 to H. 3465 (COUNCIL\WAB\3465C003.RT.WAB21), which was adopted:

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

/ SECTION __. Prior to July 1, 2022, each school district shall ensure that all schools within its jurisdiction develop plans for unencumbered daily planning time for all classroom teachers. The planning time must be equal to no less of one quarter of teachers' assigned instructional time, free from meetings, duties, or requirements incompatible with the effective planning of instruction. Plans may include contingencies for extenuating circumstances when insufficient numbers of staff and faculty are not on campus. Districts must submit their plans to the State Superintendent of Education for approval. The Superintendent shall provide a report regarding the plans to the General Assembly no later than September 1, 2022.

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SECTION __. Prior to May 3, 2021, each school district must provide the State Department of Education with a plan for implementing summer learning camps. The plans must include curricula to be used in mathematics and English/language arts, methods for notifying parents about the availability of the camps, transportation for students, and any other items determined by the department. /

Renumber sections to conform.

Amend title to conform.

Rep. FELDER 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 111; Nays 1

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hosey	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCrary

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McDaniel	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pendarvis	Pope	Rivers
Robinson	Rose	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Stringer
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--111

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 H. 3465. If I had been present, I would have voted against the Bill.

Rep. Chris Hart

Rep. JEFFERSON moved that the House recess until 2:45 p.m., which was agreed to.

THE HOUSE RESUMES

At 2:45 p.m. the House resumed, the SPEAKER *PRO TEMPORE* in the Chair.

POINT OF QUORUM

The question of a quorum was raised.

A quorum was later present.

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LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. G. M. SMITH a leave of absence for the remainder of the day due to medical reasons.

H. 3620--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3620 -- Reps. Gilliard, W. Newton, Bernstein, Hyde, Simrill, Rutherford, Lucas, Dillard, Erickson, Hart, Kimmons, Pope, Stavrinakis, Thigpen, Wheeler, Alexander, Kirby, Henegan, Pendarvis, Herbkersman, Collins, McDaniel, Ott, Cobb-Hunter, R. Williams, Murray, Brawley, Govan, Henderson-Myers, Carter, Rose, Tedder, J. L. Johnson, Wetmore, Weeks, Matthews, Rivers, Anderson, Jefferson, Garvin, Hosey and Clyburn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3620 (COUNCIL\AHB\3620C001.BH.AHB21), which was adopted:

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

/ SECTION 1. This act may be cited as the "Clementa C. Pinckney Hate Crimes Act."

SECTION 2. Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Article 22

Penalty Enhancements for Certain Crimes

Section 16-3-2410. (A)(1) When a person commits a violent crime as defined in Section 16-1-60 or commits assault by mob in the second degree as defined in Section 16-3-210(C) and the trier of fact determines beyond a reasonable doubt that the offense was committed against a victim who was intentionally selected in whole or in part because of the

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person's belief or perception regarding the victim's race, color, religion, sex, gender, national origin, sexual orientation, or physical or mental disability, whether or not the perception is correct, the person is subject to additional penalties as provided in subsection (B).

(2) For purposes of this article, the definition of 'sex' shall conform to the definition as set forth in the majority's holding in *Bostock v. Clayton County, Georgia*, 140 S.Ct. 1731 (2020).

(B) A person who violates the provisions of subsection (A) and commits violent crime as defined in Section 16-1-60 or commits assault by mob in the second degree as defined in Section 16-3-210(C), upon conviction, is subject to an additional fine of not more than ten thousand dollars and an additional term of imprisonment of up to five years;

(C) The provisions of this section provide for the enhancement of the penalties applicable to underlying offenses. The court shall permit the prosecuting agency and the defense to present evidence relevant to the determination of whether the defendant intentionally selected the person against whom the offense is committed in whole or in part because of the person's belief or perception regarding one or more of the factors provided in subsection (A), whether or not the perception is correct. The court with competent jurisdiction over the underlying offense shall instruct the trier of fact to find a special verdict as to a violation of the provisions of this section.

(D) The additional penalties described in subsection (B) may not be imposed unless the person was indicted, either separately or as a separate count in the indictment for the underlying offense, for the offense pursuant to this section committed against the victim who was intentionally selected, in whole or in part because of the person's belief or perception regarding one or more of the factors provided in subsection (A), whether or not the perception is correct, and the person was found guilty of the underlying offense."

SECTION 3. This act 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 question recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 79; Nays 29

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Bustos
Carter	Clyburn	Cobb-Hunter
Cogswell	Collins	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Fry	Garvin
Gatch	Gilliard	Govan
Hardee	Hart	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jordan	Kimmons
King	Kirby	Ligon
Lowe	Lucas	McDaniel
McGinnis	J. Moore	T. Moore
Morgan	Murphy	Murray
B. Newton	W. Newton	Ott
Parks	Pendarvis	Pope
Robinson	Rose	Sandifer
Simrill	M. M. Smith	Stavrinakis
Tedder	Thigpen	Weeks
Wetmore	Wheeler	R. Williams
Wooten		

Total--79

Those who voted in the negative are:

Burns	Calhoon	Chumley
B. Cox	Dabney	Forrest
Gagnon	Gilliam	Haddon
Hill	Hiott	Long
Magnuson	McCabe	McCrary
McGarry	D. C. Moss	V. S. Moss

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Nutt	Oremus	G. R. Smith
Stringer	Taylor	Thayer
Trantham	West	White
Whitmire	Yow	

Total--29

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3620. If I had been present, I would have voted in favor of the Bill.

Rep. Cezar E. McKnight

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3620. If I had been present, I would have voted in favor of the Bill.

Rep. Mark Willis

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3620. If I had been present, I would have voted in favor of the Bill.

Rep. Michael F. Rivers

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3620. If I had been present, I would have voted in favor of the Bill.

Rep. Kirkman Finlay III

H. 3164--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3164 -- Reps. McCravy, V. S. Moss, Haddon, Long, McCabe, Trantham, Oremus, McGarry, Burns and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-105 SO AS TO PROVIDE THAT BEGINNING

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WITH THE 2022-2023 SCHOOL YEAR, PUBLIC SCHOOL DISTRICTS SHALL MAKE ADVANCED PLACEMENT TESTING AND CERTAIN OTHER TESTING AVAILABLE TO HOME SCHOOL STUDENTS RESIDING IN THE DISTRICT IF THE TESTS ARE MADE AVAILABLE TO STUDENTS ATTENDING PUBLIC SCHOOLS IN THE DISTRICTS, AND TO PROVIDE RELATED DUTIES OF SCHOOL BOARDS AND THE STATE DEPARTMENT OF EDUCATION.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3164 (COUNCIL\WAB\3164C001.RT.WAB21), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-63-105(A) and inserting:

/ Section 59-63-105. (A) Beginning with the 2022-2023 School Year, each public school district shall make the following tests available to students receiving home instruction pursuant to Sections 59-65-40, 59-65-45, and 59-65-47 if the test is made available to students attending public schools in the district:

- (1) Advanced Placement testing;
- (2) Preliminary Scholastic Aptitude Test/National Merit Scholarship Qualifying test;
- (3) Pre-ACT test; and
- (4) College and career readiness assessments and summative assessments as administered pursuant to Section 59-18-325. /

Renumber sections to conform.

Amend title to conform.

Rep. FELDER spoke in favor of 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 105; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley

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Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
King	Ligon	Long
Lowe	Lucas	Magnuson
McCabe	McCravy	McDaniel
McGarry	McGinnis	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Parks	Pendarvis
Pope	Robinson	Rose
Sandifer	Simrill	G. R. Smith
M. M. Smith	Stringer	Taylor
Tedder	Thayer	Trantham
Weeks	West	Wetmore
White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Wheeler

Total--1

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

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H. 3899--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3899 -- Reps. Elliott, G. R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

The Ways and Means Committee proposed the following Amendment No. 1 to H. 3899 (COUNCIL\SA\3899C002.BH.SA21), which was adopted:

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

/ SECTION 1. Section 12-6-3790(B) of the 1976 Code, as added by Act 247 of 2018, is amended to read:

“(B)(1)There is created the ‘Educational Credit for Exceptional Needs Children’s Fund’ that is separate and distinct from the state general fund.-The fund must be organized as a public charity as defined by the Internal Revenue Code under Section 509(a)(1) through (4) and consist only of contributions made to the fund. The fund may not receive an appropriation of public funds. The fund must receive and hold all contributions intended for it as well as all earnings until disbursed as provided in this section. Monies received in the fund must be used to provide scholarships to exceptional needs children attending eligible schools.

(2) The amounts on deposit in the fund do not constitute public funds and are not the property of the State. Amounts on deposit in the fund may not be commingled with public funds, and the State does not have a claim to or interest in the amounts on deposit. Agreements or

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contracts entered into by or on behalf of the fund do not constitute a debt or obligation of the State.

(3) The public charity disbursing contributions made to the fund is governed by five directors, two appointed by the Chairman of the House Ways and Means Committee, two appointed by the Chairman of the Senate Finance Committee, and one appointed by the Governor. The directors of the public charity, ~~along with the director of the department,~~ shall designate an executive director of the public charity.

(4) ~~In concert with~~ The public charity directors, ~~the department~~ shall administer the public charity including, but not limited to, the keeping of records, the management of accounts, and disbursement of the grants awarded pursuant to this section. The public charity may expend up to ~~two~~ five percent of the fund for administration and related costs. ~~The department and the public charity~~ may not expend public funds to administer the program. Information contained in or produced from a tax return, document, or magnetically or electronically stored data utilized by the Department of Revenue or the public charity in the exercise of its duties as provided in this section must remain confidential and is exempt from disclosure pursuant to the Freedom of Information Act. Personally identifiable information, as described in the Family Educational Rights and Privacy Act and individual health records, or the medical or wellness needs of children applying for or receiving grants must remain confidential and is not subject to disclosure pursuant to the Freedom of Information Act.

(5) By January fifteenth of each year, the department shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor:

(a) the number and total amount of grants issued to eligible schools in each year;

(b) the identity of the school and the amount of the grant for each grant issued to an eligible school in each year;

(c) an itemized and detailed explanation of fees or other revenues obtained from or on behalf of an eligible school;

(d) a copy of a compilation, review, or audit of the fund's financial statements, conducted by a certified public accounting firm; and

(e) the criteria and eligibility requirements for scholarship awards.” /

Renumber sections to conform.

Amend title to conform.

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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 1

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kimmons	King
Long	Lowe	Lucas
Magnuson	McCabe	McCrary
McDaniel	McGarry	McGinnis
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Pendarvis
Pope	Rose	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stringer	Taylor	Tedder
Thayer	Trantham	Weeks
West	Wetmore	White
Whitmire	R. Williams	Willis
Wooten	Yow	

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Total--98

Those who voted in the negative are:

K. O. Johnson

Total--1

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

RECURRENCE TO THE MORNING HOUR

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

HOUSE RESOLUTION

The following was introduced:

H. 4165 -- Reps. McGarry, B. Newton, Yow and Lucas: A HOUSE RESOLUTION TO CONGRATULATE AND HONOR LANCASTER COUNTY SHERIFF BARRY FAILE FOR THIRTY-TWO YEARS OF DISTINGUISHED SERVICE IN SOUTH CAROLINA LAW ENFORCEMENT AND TO EXPRESS DEEP GRATITUDE FOR THAT SACRIFICIAL SERVICE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4166 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoun, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis,

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McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JOHN PADGETT, THE LEGISLATIVE LIAISON FOR THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES, UPON THE OCCASION OF HIS RETIREMENT AFTER FIFTEEN YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM MANY YEARS OF ENJOYMENT AND HAPPINESS IN HIS WELL-DESERVED RETIREMENT.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4167 -- Reps. Huggins, Felder, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR KATHRYN ROGERS "KATHY" PADGETT, MANAGER OF THE SOUTH CAROLINA STATE HOUSE TOUR OFFICE, UPON THE OCCASION OF HER RETIREMENT AFTER MORE THAN SIX YEARS OF OUTSTANDING SERVICE, AND TO WISH HER

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CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4168 -- Rep. Simrill: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 12 THROUGH 16, 2021, AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK."

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 4169 -- Reps. Thayer, W. Cox and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO ESTABLISH THAT A DIRECT PRIMARY CARE AGREEMENT IS NOT A CONTRACT OF INSURANCE AND NOT SUBJECT TO REGULATION BY THE DEPARTMENT OF INSURANCE, AND TO DEFINE THE TERM DIRECT PRIMARY CARE AGREEMENT.

Referred to Committee on Labor, Commerce and Industry

H. 4170 -- Reps. R. Williams and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-1-100 SO AS TO PROVIDE THAT THE RESTROOM FACILITIES IN ANY PLACE OF BUSINESS IN THIS STATE OF A RETAILER SELLING TANGIBLE PERSONAL PROPERTY MUST BE AVAILABLE FOR USE BY PURCHASERS OR PROSPECTIVE PURCHASERS ENTERING THIS PLACE OF BUSINESS UPON THEIR REQUEST.

Referred to Committee on Labor, Commerce and Industry

H. 4171 -- Reps. R. Williams and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-456 SO AS TO PROVIDE THAT AN EMPLOYEE MAY BE GRANTED BY HIS EMPLOYER A SPECIFIED AMOUNT OF ADDITIONAL PAID LEAVE EACH YEAR FOR THE PURPOSE

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OF ATTENDING CERTAIN ELEMENTARY AND SECONDARY SCHOOL CONFERENCES OR ACTIVITIES DURING THE EMPLOYEE'S WORK HOURS OR TO ENGAGE IN CERTAIN VOLUNTEER TEACHING ACTIVITIES IN THE SCHOOLS, TO PROVIDE THAT THE EMPLOYERS OF THESE EMPLOYEES ARE ENTITLED TO A SPECIFIED STATE INCOME TAX DEDUCTION FOR THESE ACTIVITIES, AND TO PROVIDE THE PROCEDURES NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

Referred to Committee on Education and Public Works

H. 4172 -- Reps. R. Williams and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "HEALTHY STUDENTS ACT"; TO AMEND SECTION 59-10-10, RELATING TO PHYSICAL ACTIVITY STANDARDS FOR ELEMENTARY SCHOOL STUDENTS, SO AS TO REQUIRE NINETY MINUTES OF WEEKLY PHYSICAL ACTIVITY FOR MIDDLE SCHOOL AND HIGH SCHOOL STUDENTS, TO INCLUDE SECOND GRADE STUDENTS AMONG THOSE WHOSE FITNESS STATUSES MUST BE REPORTED, TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE A SUMMARY REPORT OF THE FITNESS STATUS OF STUDENTS IN CERTAIN GRADES IN EACH SCHOOL DISTRICT, AND TO DELETE OBSOLETE LANGUAGE; TO AMEND SECTION 59-10-310, RELATING TO ELEMENTARY SCHOOL MEAL AND COMPETITIVE FOOD NUTRITIONAL REQUIREMENTS, SO AS TO REMOVE RESTRICTIONS OF APPLICATION TO THE SCHOOL YEAR; TO AMEND SECTION 59-10-330, RELATING TO RESTRICTIONS ON ELEMENTARY SCHOOL VENDING SALES AND OTHER SALES OF FOOD AND BEVERAGES OF MINIMAL NUTRITIONAL VALUE, SO AS TO DELETE OBSOLETE LANGUAGE; AND TO REPEAL SECTION 59-10-340 RELATING TO SNACKS IN SCHOOL VENDING MACHINES.

Referred to Committee on Education and Public Works

H. 4173 -- Reps. R. Williams and Gilliard: A BILL TO AMEND SECTION 44-95-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDOOR PLACES WHERE SMOKING IS PROHIBITED, SO AS TO ADD MOTOR VEHICLES

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OWNED OR LEASED BY STATE OR LOCAL GOVERNMENT OR BY SCHOOL DISTRICTS.

Referred to Committee on Judiciary

H. 4174 -- Reps. R. Williams and Gilliard: A BILL TO AMEND SECTION 44-53-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHEDULE I CONTROLLED SUBSTANCES, SO AS TO ADD CERTAIN SYNTHETIC CANNABINOID AND CATHINONE COMPOUNDS AS SCHEDULE I CONTROLLED SUBSTANCES.

Referred to Committee on Judiciary

H. 4175 -- Reps. Bailey, Gilliam, Pope, McCravy, Rose, Bernstein, Hewitt, Hardee, Bamberg, Brittain, Gagnon, Jordan, Sandifer and G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-5-190 SO AS TO PROVIDE THAT IT IS AN UNFAIR TRADE PRACTICE FOR A CONTRACTING PARTY TO REQUIRE THE APPLICATION OF THE LAWS OF ANOTHER STATE IN DISPUTES ARISING FROM THE PERFORMANCE OF THE CONTRACT.

Referred to Committee on Judiciary

H. 4176 -- Rep. Simrill: A BILL TO AMEND SECTION 2-47-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMANENT IMPROVEMENT PROJECTS, SO AS TO ADJUST CERTAIN COST REQUIREMENTS TO QUALIFY AS A PERMANENT IMPROVEMENT PROJECT AT A PUBLIC INSTITUTION OF HIGHER LEARNING.

Referred to Committee on Education and Public Works

H. 4177 -- Rep. Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF

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THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4178 -- Reps. Bannister and Herbkersman: A BILL TO AMEND SECTION 6-29-1150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LOCAL PLANNING COMMISSION SUBMISSIONS, RECORDS, AND APPEALS, SO AS TO PROVIDE, AMONG OTHER THINGS, THAT ONLY THE PROPERTY OWNER OR OWNERS MAY APPEAL STAFF ACTION OR PLANNING COMMISSION DECISIONS TO APPROVE LAND DEVELOPMENT PLANS.

Referred to Committee on Judiciary

H. 4179 -- Rep. West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 47, TITLE 40 SO AS TO TRANSFER REGULATORY AUTHORITY OF ATHLETIC TRAINERS TO THE BOARD OF MEDICAL EXAMINERS; AND TO REPEAL CHAPTER 75, TITLE 44 RELATING TO THE REGULATION OF ATHLETIC TRAINERS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Referred to Committee on Labor, Commerce and Industry

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE "LEGALLY SEPARATED" FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR

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PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

Referred to Committee on Ways and Means

OBJECTION TO RECALL

Rep. ALLISON asked unanimous consent to recall S. 704 from the Committee on Education and Public Works.

Rep. BRAWLEY objected.

H. 4145--RECALLED AND REFERRED TO COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

On motion of Rep. SANDIFER, with unanimous consent, the following Bill was ordered recalled from the Committee on Labor, Commerce and Industry and was referred to the Committee on Medical, Military, Public and Municipal Affairs:

H. 4145 -- Reps. Calhoon and Wooten: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-266 SO AS TO ESTABLISH MINIMUM STAFFING REQUIREMENTS FOR COMMUNITY RESIDENTIAL CARE FACILITIES; AND BY ADDING SECTION 44-7-305 SO AS TO REQUIRE ASSISTED LIVING CENTERS AND OTHER COMMUNITY RESIDENTIAL CARE FACILITIES TO INSTALL, OPERATE, AND MAINTAIN VIDEO MONITORING EQUIPMENT AT EVERY FACILITY ENTRANCE, EXIT, AND COMMON AREA FOR THE PURPOSE OF CONTINUOUS MONITORING AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH A SYSTEM FOR MAINTAINING RECORDED IMAGES.

MOTION PERIOD

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

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H. 3755--DEBATE ADJOURNED

The following Bill was taken up:

H. 3755 -- Reps. Murphy, Bryant, Pope, Yow, Simrill, Hardee, Trantham, Oremus, W. Newton, Ligon, Bennett, Fry, Bannister, Carter, Caskey, Forrest, Hixon, Kimmons, McGarry, V. S. Moss, G. M. Smith, Taylor, Thayer, McCabe, Dabney, B. Newton, Elliott, Atkinson and Huggins: 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 SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS 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, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

Rep. MURPHY moved to adjourn debate on the Bill until Tuesday, April 13, which was agreed to.

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

ADJOURNMENT

At 3:23 p.m. the House, in accordance with the motion of Rep. ATKINSON, adjourned in memory of Mary Ann Elvington, to meet at 10:00 a.m. tomorrow.

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H. 3037	9	H. 3988	4
H. 3096	3, 32, 34, 35	H. 4000	4
H. 3096	41, 43, 45	H. 4006	10
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H. 3144	12	H. 4060	11
H. 3164	56	H. 4062	11
H. 3243	11	H. 4064	14
H. 3319	9	H. 4098	12
H. 3354	14	H. 4099	12
H. 3465	49, 50, 52	H. 4133	4
H. 3466	31	H. 4145	68
H. 3482	14	H. 4153	4
H. 3524	11	H. 4158	4
H. 3545	13	H. 4165	62
H. 3546	12	H. 4166	62
H. 3547	13	H. 4167	63
H. 3549	27	H. 4168	63
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H. 3614	8	H. 4171	64
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H. 3620	56	H. 4173	65
H. 3681	14	H. 4174	65
H. 3755	30, 68	H. 4175	65
H. 3770	29	H. 4176	66
H. 3786	20, 24	H. 4177	66
H. 3795	10	H. 4178	66
H. 3834	4	H. 4179	67
H. 3883	10		
H. 3899	58, 59	S. 38	25
H. 3925	29	S. 515	5
H. 3941	9	S. 527	67
H. 3948	13	S. 698	25