

NO. 62

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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**TUESDAY, MAY 11, 2021**  
**(STATEWIDE SESSION)**

**Tuesday, May 11, 2021**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 42:5: “Why are you cast down, O my soul, and why are you disquieted within me? Hope in God, for I shall again praise him my help and my God.”

Let us pray. Good and gracious God, fill us with gratitude for Your love. Give us patience, O God, and help us as people of Your gracious promise. Guide our decisions and help us trust You to direct our lives. Care for each of these Representatives and staff as we go through the week. Give grace and comfort to our defenders of freedom and first responders. May You, O God, grant Your blessings on our World, Nation, President, State, Governor, Speaker, staff, and all who work 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 *PRO TEMPORE*.

After corrections to the Journal of the proceedings of Friday, the SPEAKER *PRO TEMPORE* ordered it confirmed.

**MOTION ADOPTED**

Rep. LUCAS moved that when the House adjourns, it adjourn in memory of Robbie Mae Williams, mother of Representative Robert Williams, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the family and friends of Robbie Mae Williams, mother of Representative Robert Williams.

**SILENT PRAYER**

The House stood in silent prayer for the family and friends of Desmond Williams and Reginald Nixon, Jr.

**TUESDAY, MAY 11, 2021**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 6, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Bennett, McElveen and Turner of the Committee of Free Conference on the part of the Senate on H. 3011:

H. 3011 -- Reps. West, G. M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 6, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on H. 3011:

H. 3011 -- Reps. West, G. M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO

[HJ]

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PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 6, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 545:

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

and has ordered the Bill enrolled for ratification.

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 6, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3991:

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND

[HJ]

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SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

and has ordered the Bill enrolled for ratification.

Very respectfully,  
President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 6, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 435:

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND

[HJ]

**TUESDAY, MAY 11, 2021**

ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

and has ordered the Bill enrolled for ratification.

Very respectfully,  
President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 6, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 36:

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES

[HJ]

**TUESDAY, MAY 11, 2021**

CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 6, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Rankin, Massey and Hutto to the Committee of Conference on the part of the Senate on H. 3194:

H. 3194 -- Reps. Lucas, G. M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND

[HJ]

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OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

Very Respectfully,  
President  
Received as information.

**REPORT OF STANDING COMMITTEE**

Rep. D. C. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 783 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 IN MARION COUNTY FROM ITS INTERSECTION WITH BROCKINGTON ROAD TO SOUTH CYPRESS STREET "WILLIAM 'PENN' TROY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4348 -- Reps. McKnight, 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, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, 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, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, 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

[HJ]



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HOUSE RESOLUTION TO RECOGNIZE AND COMMEND ALISHA BRAND OF WILLIAMSBURG COUNTY FOR HER OUTSTANDING ACADEMIC ACCOMPLISHMENTS AND TO WISH HER MUCH HAPPINESS AND SUCCESS IN THE YEARS TO COME.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4349 -- Reps. Hyde, Rose, 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, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, 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, 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE HONORABLE DOROTHY MOBLEY JONES OF CHAPIN, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**TUESDAY, MAY 11, 2021**

**HOUSE RESOLUTION**

The following was introduced:

H. 4351 -- Reps. Atkinson, Alexander, Allison, Anderson, 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, Huggins, 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 DECLARE SEPTEMBER 2021 AS "CHILDHOOD CANCER AWARENESS MONTH" IN SOUTH CAROLINA.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4350 -- 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, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss,

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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 CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR PAUL F. YOUNGINER, SENIOR MANAGER OF THE SOUTH CAROLINA WEATHERIZATION ASSISTANCE PROGRAM, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-FIVE YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 450 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 17 IN CHARLESTON COUNTY FROM A POINT ONE AND ONE-QUARTER MILES EAST OF OLD JACKSONBORO ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 7 "CURTIS B. INABINETT, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 787 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME ST. MARK BOWMAN ROAD IN DORCHESTER COUNTY "CAPTAIN JEROME JONES ROAD" AND ERECT APPROPRIATE

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MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 792 -- Senators Alexander, Kimbrell and Campsen: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE JUNE 6-13, 2021 AS SOUTH CAROLINA BOATING AND FISHING WEEK AND TO COMMEND THE SOUTH CAROLINA BOATING AND FISHING ALLIANCE ON A SUCCESSFUL START TO ITS ORGANIZATION.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 794 -- Senators Goldfinch and Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME APPROXIMATELY FIFTEEN MILES OF PLEASANT HILL DRIVE FROM ITS INTERSECTION WITH COUNTY LINE ROAD TO ITS INTERSECTION WITH NORTH FRASER STREET IN GEORGETOWN COUNTY "A. LANE CRIBB HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 797 -- Senators Young, Setzler and Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 1 FROM ITS INTERSECTION WITH I-20 TO HIGHWAY 78 (RICHLAND AVENUE) IN AIKEN COUNTY "VETERANS MEMORIAL HIGHWAY", NAME THE PORTION OF HIGHWAY 25

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FROM THE EDGEFIELD COUNTY LINE TO THE NORTH AUGUSTA CITY LIMITS IN AIKEN COUNTY "VETERANS HIGHWAY", NAME THE PORTION OF HIGHWAY 78 (RICHLAND AVENUE) FROM ITS INTERSECTION WITH HIGHWAY 1 (YORK STREET) EAST TO THE AIKEN COUNTY LINE IN AIKEN COUNTY "GOLD STAR FAMILIES MEMORIAL HIGHWAY", AND ERECT APPROPRIATE MARKERS OR SIGNS AT THESE LOCATIONS CONTAINING THE DESIGNATIONS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 798 -- Senators Stephens, Matthews and Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE AT INTERSTATE 95 AND UNITED STATES HIGHWAY 178 IN DORCHESTER COUNTY "PATSY G. KNIGHT INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

**INTRODUCTION OF BILLS**

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

H. 4352 -- Rep. May: A BILL TO AMEND SECTION 1-30-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION AND GOVERNANCE OF THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL BE HEADED BY A DIRECTOR WHO IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTIONS 44-20-30, 44-20-210, 44-20-220, 44-20-230, 44-20-240, 44-20-320, AND 44-20-350, ALL RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO PROVIDE FOR THE RESTRUCTURING OF THE DEPARTMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR

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WITH THE ADVICE AND CONSENT OF THE SENATE, AND FOR OTHER PURPOSES.

Referred to Committee on Judiciary

S. 508 -- Senators Shealy, Hutto and Gustafson: A BILL TO AMEND SECTIONS 44-78-15, 44-78-20, 44-78-30, 44-78-45(A), 44-78-50, AND 44-78-60 OF THE 1976 CODE, ALL RELATING TO DO NOT RESUSCITATE ORDERS, TO ALLOW A PARENT OR LEGAL GUARDIAN OF A MEDICALLY ELIGIBLE CHILD TO REQUEST AND REVOKE A DO NOT RESUSCITATE ORDER FOR EMERGENCY SERVICES FOR THE CHILD, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

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

S. 771 -- Senator Hutto: A BILL TO CONSOLIDATE BAMBERG-EHRHARDT SCHOOL DISTRICT ONE (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT ONE) AND DENMARK-OLAR SCHOOL DISTRICT TWO (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT TWO) INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND DENMARK-OLAR SCHOOL DISTRICT TWO ON JULY 1, 2022; TO PROVIDE THAT THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BAMBERG COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE FORMER BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND THE FORMER DENMARK-OLAR SCHOOL DISTRICT TWO; TO PROVIDE THAT THE MEMBERS OF THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND

[HJ]

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RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

Referred to Bamberg Delegation

**ROLL CALL**

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

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	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	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	Matthews
May	McCabe	McCrary

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

**Total Present--121**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Valarian Bruce of Florence was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member 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



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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. 3450  
Date: ADD:  
05/11/21 HUGGINS

**CO-SPONSOR ADDED**

Bill Number: H. 3568  
Date: ADD:  
05/11/21 M. M. SMITH

**CO-SPONSOR ADDED**

Bill Number: H. 4046  
Date: ADD:  
05/11/21 GILLIAM

**CO-SPONSORS ADDED**

Bill Number: H. 4322  
Date: ADD:  
05/11/21 R. WILLIAMS, JEFFERSON, KING, HENEGAN,  
GILLIARD, BRAWLEY, K. O. JOHNSON,  
GARVIN and J. L. JOHNSON

**CO-SPONSORS ADDED**

Bill Number: H. 4325  
Date: ADD:  
05/11/21 MAY and DABNEY

**CO-SPONSOR ADDED**

Bill Number: H. 4341  
Date: ADD:  
05/11/21 M. M. SMITH

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**CO-SPONSORS ADDED**

Bill Number: H. 4343  
Date: ADD:  
05/11/21 MCGARRY and MAY

**SPEAKER IN CHAIR**

**CONFIRMATION OF APPOINTMENT**

The following was received:

State of South Carolina  
Office of the Governor

Columbia, S.C., May 7, 2021

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith an appointment for confirmation. This appointment is made with advice and consent of the General Assembly and is therefore submitted for your consideration.

**LOCAL APPOINTMENT**

Beaufort County Master-in-Equity

Term Commencing: 07/01/2021

Term Expiring: 06/30/2027

The Honorable Marvin Henry Dukes III  
791 Ribaut Road  
Beaufort, South Carolina 29902

Yours very truly,  
Henry McMaster  
Governor

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 0

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Brittain
Bryant	Burns	Bustos

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Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Dabney	Daning
Davis	Elliott	Felder
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Henderson-Myers	Henegan	Hewitt
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
Kimmons	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	May
McCabe	McCrary	McGarry
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Tedder
Thayer	Trantham	Weeks
Wetmore	Whitmire	Willis
Wooten		

**Total--88**

Those who voted in the negative are:

**Total--0**

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

**STATEMENT FOR JOURNAL**

I was inadvertently out of the Chamber during the vote for Judge Marvin H. Dukes III as Beaufort County Master-In-Equity. I would have voted on the affirmative.

Rep. Shannon Erickson

[HJ]

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**STATEMENT FOR JOURNAL**

I was inadvertently out of the Chamber during the vote for Judge Marvin H. Dukes III as Beaufort County Master-In-Equity. I would have voted on the affirmative.

Rep. Jeff Bradley

**STATEMENT FOR JOURNAL**

I did not vote for the re-appointment of the master-in-equity for Beaufort County to avoid any appearance of an impropriety.

Rep. Wm. Weston Newton

**STATEMENT FOR JOURNAL**

I was out of the Chamber on constituent business during the vote for Judge Marvin H. Dukes III as Beaufort County Master-In-Equity. I would have voted to confirm the appointment.

Rep. Michael F. Rivers

**S. 587--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 587 -- Senator Turner: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

Reps. KING, BRAWLEY, PENDARVIS, OTT, GILLIARD, HOSEY, BERNSTEIN, WETMORE, K. O. JOHNSON, R. WILLIAMS and HENEGAN requested debate on the Bill.

[HJ]

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**S. 677--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

Reps. KING, GILLIARD, BRAWLEY, OTT, HOWARD, WETMORE and R. WILLIAMS requested debate on the Bill.

**S. 436--DEBATE ADJOURNED**

The following Bill was taken up:

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

Rep. G. M. SMITH moved to adjourn debate on the Bill until Wednesday, May 12, which was agreed to.

**S. 675--DEBATE ADJOURNED**

The following Bill was taken up:

S. 675 -- Senators Kimbrell, Rice, Talley, Peeler, Gambrell, Turner, Alexander, Bennett, Garrett and Cash: A BILL TO AMEND SECTION 12-37-2460 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF TAX PROCEEDS, TO CREDIT THE PROCEEDS OF TAXES TO THE STATE AVIATION FUND; TO AMEND SECTION 55-5-280(B) OF THE 1976 CODE, RELATING TO THE STATE AVIATION FUND, TO PHASE IN THE CREDITING OF THE PROCEEDS; AND TO PROVIDE THAT A PORTION OF THE REVENUES COLLECTED MUST BE USED TO OBTAIN OR

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DEVELOP THROUGH THE SOUTH CAROLINA AERONAUTICS COMMISSION AN AIRPORT FACILITY IN A COUNTY WITHOUT AN AIRPORT FACILITY.

Rep. HIOTT moved to adjourn debate on the Bill until Wednesday, May 12, which was agreed to.

**S. 461--DEBATE ADJOURNED**

The following Bill was taken up:

S. 461 -- Senators Alexander, Setzler and Cromer: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

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

**S. 658--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 658 -- Senator Bennett: A BILL TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650 OF THE 1976 CODE, RELATING TO

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AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-11-110(3) OF THE 1976 CODE, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT

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BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND TO REPEAL CHAPTER 2, TITLE 9 OF THE 1976 CODE, RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

Reps. KING, GILLIARD, OTT, PENDARVIS, BRAWLEY and WETMORE requested debate on the Bill.

**S. 527--ORDERED TO THIRD READING**

The following Bill was taken up:

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 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.

Rep. G. R. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 3

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bannister	Bernstein
Blackwell	Bradley	Brawley

[HJ]



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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
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Ligon	Long	Lowe
Lucas	Magnuson	Martin
Matthews	May	McCabe
McCrary	McDaniel	McGarry
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	Nutt	Oremus
Ott	Pendarvis	Pope
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	

**Total--101**

Those who voted in the negative are:

Rivers	Robinson	S. Williams
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**Total--3**

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

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**S. 609--REQUEST FOR DEBATE AND ORDERED TO THIRD  
READING**

The following Bill was taken up:

S. 609 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-140 SO AS TO AUTHORIZE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT HAVE ACCESS TO FEDERAL TAX INFORMATION TO CONDUCT CRIMINAL BACKGROUND CHECKS ON ITS EMPLOYEES AND CONTRACTORS.

Rep. G. R. SMITH explained the Bill.

Rep. KING requested debate on the Bill.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 1

Those who voted in the affirmative are:

Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Dillard	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Gatch	Gilliam
Govan	Haddon	Hardee
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
J. E. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss

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V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Ott	Pope	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
Willis	Wooten	

**Total--95**

Those who voted in the negative are:  
Matthews

**Total--1**

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

**STATEMENT FOR JOURNAL**

I was in conference with the Attorney General's office and missed the vote on S. 609. If I had been present, I would have voted in favor of the Bill.

Rep. Jeff Bradley

**S. 627--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin, Leatherman, Young and Gustafson: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE, SO AS TO PROVIDE THAT

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AN ELECTING PASS-THROUGH BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

Reps. KING, MATTHEWS, DILLARD, GILLIARD, J. L. JOHNSON, BRAWLEY, TEDDER, PENDARVIS, S. WILLIAMS, R. WILLIAMS, K. O. JOHNSON, WETMORE, OTT, MURRAY, WHEELER, GOVAN and CLYBURN requested debate on the Bill.

**OBJECTION TO RECALL**

Rep. MURPHY asked unanimous consent to recall S. 631 from the Committee on Judiciary.

Rep. G. M. SMITH objected.

**OBJECTION TO RECALL**

Rep. BRAWLEY asked unanimous consent to recall H. 3183 from the Committee on Ways and Means.

Rep. HILL objected.

**S. 631--RECALLED FROM COMMITTEE ON JUDICIARY**

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

S. 631 -- Senators Talley and Campsen: A BILL TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; TO AMEND TITLE 26 OF THE 1976 CODE, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGEMENTS, BY ADDING CHAPTER 2, TO PROVIDE FOR PROCEDURES AND TRAINING REQUIREMENTS, TO PROVIDE FOR ACTS THAT MAY BE PERFORMED, RESTRICTIONS ON THOSE ACTS, AND REQUIREMENTS TO COMPLETE THOSE ACTS, TO ESTABLISH MAXIMUM FEES, TO ESTABLISH PROCEDURES FOR ELECTRONIC NOTARIES PUBLIC, TO PROVIDE THAT THE SECRETARY OF STATE MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE TERMINATION OF ELECTRONIC NOTARIES PUBLIC, TO PROVIDE A PENALTY, TO PROVIDE REQUIREMENTS TO CERTIFY AUTHENTICITY, AND TO DEFINE NECESSARY TERMS.

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**MOTION PERIOD**

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

Rep. SIMRILL moved that the House recede until 2:30 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 2:30 p.m. the House resumed, the SPEAKER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**RECURRENCE TO THE MORNING HOUR**

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

**REGULATIONS RECEIVED**

The following was received and referred to the appropriate committee for consideration:

Document No. 5037

Agency: Department of Labor, Licensing and Regulation-Board of Funeral Service

Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60, and 40-19-70

Licensing Provisions; and Continuing Education

Received by Speaker of the House of Representatives

May 11, 2021

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration May 8, 2022

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. L. JOHNSON a temporary leave of absence.

**HOUSE RESOLUTION**

The following was introduced:

H. 4353 -- Reps. Bernstein, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bradley,

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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, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, 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, 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 EXPRESS PROFOUND SORROW UPON THE PASSING OF HOWARD B. STRAVITZ, LONGTIME PROFESSOR AT THE UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4354 -- Reprs. Henderson-Myers, 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, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, 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, 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,

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Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE SPARTANBURG SOUTHSIDE LIONS CLUB UPON THE OCCASION OF ITS TENTH ANNIVERSARY AND TO EXPRESS THE UTMOST GRATITUDE FOR ITS TEN YEARS OF DEDICATED SERVICE TO THE CITIZENS OF SPARTANBURG.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4355 -- Reprs. Erickson, Bradley, Herbkersman, W. Newton, Rivers, S. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, 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, Hayes, Henderson-Myers, Henegan, Hewitt, Hill, Hiott, Hixon, 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, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, 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, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CELEBRATE THE SIXTY-FIFTH BEAUFORT WATER FESTIVAL TO BE HELD ON JULY 16-25, 2021, AND TO HONOR THOSE WHO ORGANIZE, SPONSOR, VOLUNTEER FOR, AND PARTICIPATE IN THE FESTIVAL.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 4356 -- Reps. Pope, Simrill, Ligon, Felder, Bryant, D. C. Moss, V. S. Moss, King, B. Newton, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Burns, Bustos, Calhoun, 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, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, Kirby, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, Murphy, Murray, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Rivers, Robinson, Rose, Rutherford, Sandifer, 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 WALTER WILLIAM THOMPSON, SR., DEPUTY SOLICITOR FOR THE 16TH CIRCUIT SOLICITOR'S OFFICE, UPON THE OCCASION OF HIS RETIREMENT AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4357 -- Reps. Murphy, Bennett, Gatch, Jefferson, Kimmons, Pendarvis and Tedder: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE PINWOOD PREPARATORY SCHOOL GIRLS SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 SOUTH CAROLINA INDEPENDENT



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SCHOOL ATHLETIC ASSOCIATION CLASS 3A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4358 -- Rep. Taylor: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SERVICE OF THE JAMES L. HAMMONS DETACHMENT 939 OF THE MARINE CORP LEAGUE, OF AIKEN COUNTY, AND TO THANK ITS MEMBERS FOR THEIR DEDICATION TO UPHOLDING THE IDEALS OF AMERICAN FREEDOM AND DEMOCRACY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4359 -- Reps. McDaniel, 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, Huggins, 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, 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 HONOR THE REVEREND JAMES D. LEE FOR HIS FAITHFULNESS IN GOSPEL MINISTRY; TO THANK HIM FOR HIS TWELVE YEARS OF SERVICE TO MOUNT

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MORIAH BAPTIST CHURCH AND THE COMMUNITY; AND TO WISH HIM GOD'S RICHEST BLESSINGS IN HIS RETIREMENT.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4360 -- Reps. Lucas, 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, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, 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 CONGRATULATE CLEVELAND BROWN, SECURITY OFFICER FOR THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS YEARS OF COMMITTED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

Whereas, for twenty-seven years, the State of South Carolina has enjoyed the benefit of the dedication and experience of Cleveland Brown, first as a law enforcement officer with the State Museum and, most recently, as a security officer for the South Carolina House of Representatives; and

Whereas, when he began his work as part of the House of Representatives Sergeant at Arms' office in February 2005, Cleve brought with him eleven years of prior service in law enforcement with

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other state agencies, as well as valuable experience with the United States Air Force, from which he retired after twenty-six years of service; and

Whereas, he has served the House faithfully and has been a true asset to the Sergeant at Arms' office, always going above and beyond his normal duties to assist the sergeant and the members of the House; and

Whereas, Cleve is now planning a well-deserved retirement, and he will be sorely missed. The House trusts he will enjoy the additional time he will be able to spend with family, especially his wife, Sadie, and the members only hope he can keep up with "Miss Sadie's" honey-do list; and

Whereas, having done his duty with dignity and professionalism, Cleveland Brown will be remembered with affection and gratitude by colleagues and legislative friends for years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, congratulate Cleveland Brown, security officer for the South Carolina House of Representatives, upon the occasion of his retirement, commend him for his years of committed service, and wish him much happiness and fulfillment in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to Cleveland Brown.

The Resolution was adopted.

**S. 461--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 461 -- Senators Alexander, Setzler and Cromer: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS

[HJ]

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WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

Rep. COBB-HUNTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 13

Those who voted in the affirmative are:

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	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Garvin	Gatch	Gilliam
Gilliard	Govan	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	K. O. Johnson
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Martin
Matthews	McDaniel	McGarry
McGinnis	McKnight	T. Moore
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Pendarvis	Pope	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrakis
Taylor	Tedder	Thayer

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Thigpen	Trantham	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	

**Total--101**

Those who voted in the negative are:

Dabney	Fry	Gagnon
Haddon	Hill	Magnuson
May	McCabe	McCrary
Morgan	Oremus	G. R. Smith
M. M. Smith		

**Total--13**

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

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. R. WILLIAMS.

**H. 3755--RECOMMITTED**

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

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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 recommit the Bill to the Committee on Judiciary, which was agreed to.

**H. 3205--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J. E. Johnson, Jordan, Caskey, B. Newton, Bryant, G. M. Smith, G. R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M. M. Smith, Bustos, V. S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

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The Committee on Judiciary proposed the following Amendment No. 1 to H. 3205 (COUNCIL\ZW\3205C001.CC.ZW21), which was tabled:

Amend the joint resolution, as and if amended, by striking item (5) of SECTION 2 and inserting:

/ (5) a convention of the states convened pursuant to this application must be limited to consideration of the topics specified in this joint resolution and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights, the thirteenth, fourteenth, and fifteenth amendments to the United States Constitution shall not be authorized for consideration at any stage. This application shall be void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights; /

Renumber sections to conform.

Amend title to conform.

Rep. W. NEWTON moved to table the amendment, which was agreed to.

***SPEAKER PRO TEMPORE IN CHAIR***

Reps. W. NEWTON and KING proposed the following Amendment No. 2 to H. 3205 (COUNCIL\SA\3205C001.BH.SA21), which was adopted:

Amend the joint resolution, as and if amended, by striking item (5) of SECTION 2 and inserting:

/ (5) a convention of the states convened pursuant to this application must be limited to consideration of the topics specified in this joint resolution and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights, the thirteenth, fourteenth, fifteenth, and nineteenth amendments to the United States Constitution shall not be authorized for consideration at any stage. This application shall be void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights, the thirteenth, fourteenth, fifteenth, and nineteenth amendments to the United States Constitution; /

Renumber sections to conform.

Amend title to conform.

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Rep. W. NEWTON explained the amendment.

Rep. W. NEWTON spoke in favor of the amendment.

The amendment was then adopted, by a division vote of 76 to 7.

Rep. LONG proposed the following Amendment No. 3 to H. 3205 (COUNCIL\AHB\3205C001.BH.AHB21), which was rejected:

Amend the joint resolution, as and if amended, SECTION 1, BY DELETING SUBSECTION (B) AND INSERTING:

/ (B) This application shall constitute a continuing application for the convention of the states pursuant to Article V of the United States Constitution until the legislatures of two-thirds of the states have made applications on the same subject and the convention has been called by the Congress of the United States. However, this application expires two years from the effective date of this joint resolution. /

Re-number sections to conform.

Amend title to conform.

Rep. LONG explained the amendment.

Rep. TAYLOR moved to table the amendment.

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

Yeas 31; Nays 83

Those who voted in the affirmative are:

Blackwell	Bradley	Brittain
Bryant	Bustos	Calhoon
Caskey	Cogswell	Collins
W. Cox	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gilliam	Haddon
Hardee	Herbkersman	Hixon
Lucas	McGarry	McGinnis
B. Newton	Pope	Simrill
M. M. Smith	Tedder	Thayer
West		

**Total--31**

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Those who voted in the negative are:

Alexander	Allison	Anderson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Brawley
Burns	Carter	Chumley
Clyburn	Cobb-Hunter	B. Cox
Crawford	Dabney	Daning
Davis	Dillard	Gagnon
Garvin	Gatch	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hosey
Howard	Huggins	Hyde
Jefferson	K. O. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Magnuson	Martin
Matthews	McCabe	McCrary
McDaniel	McKnight	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	W. Newton
Nutt	Oremus	Ott
Pendarvis	Rivers	Robinson
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	Stavrinakis
Taylor	Thigpen	Trantham
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	

**Total--83**

So, the House refused to table the amendment.

Rep. TAYLOR spoke against the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

The question then recurred to the adoption of the amendment.

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

Yeas 56; Nays 62

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Bamberg	Bernstein	Brawley
Burns	Chumley	Clyburn
Cobb-Hunter	Crawford	Daning
Dillard	Gagnon	Garvin
Gatch	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Hill	Hosey
Howard	Jefferson	K. O. Johnson
Jones	Kimmons	King
Kirby	Long	Magnuson
Martin	Matthews	McCabe
McCravy	McDaniel	McGinnis
McKnight	J. Moore	Murray
Nutt	Ott	Pendarvis
Rivers	Robinson	Rose
Rutherford	Stavrinakis	Tedder
Thigpen	Wetmore	Wheeler
R. Williams	S. Williams	

**Total--56**

Those who voted in the negative are:

Allison	Ballentine	Bannister
Bennett	Blackwell	Bradley
Brittain	Bryant	Bustos
Calhoon	Carter	Caskey
Cogswell	Collins	B. Cox
W. Cox	Dabney	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gilliam	Haddon	Hardee
Herbkersman	Hewitt	Hiott
Hixon	Huggins	Hyde
J. E. Johnson	Jordan	Ligon
Lowe	Lucas	May

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McGarry	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Oremus
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	White	Whitmire
Willis	Wooten	

**Total--62**

So, the amendment was rejected.

Rep. LONG proposed the following Amendment No. 5 to H. 3205 (COUNCIL\AHB\3205C004.BH.AHB21), which was adopted:

Amend the joint resolution, as and if amended, SECTION 1, BY DELETING SUBSECTION (B) AND INSERTING:

/ (B) This application shall constitute a continuing application for the convention of the states pursuant to Article V of the United States Constitution until the legislatures of two-thirds of the states have made applications on the same subject and the convention has been called by the Congress of the United States. However, this application expires ten years from the effective date of this joint resolution. /

Re-number sections to conform.

Amend title to conform.

Rep. LONG explained the amendment.

The amendment was then adopted.

Rep. LONG proposed the following Amendment No. 6 to H. 3205 (COUNCIL\AHB\3205C002.BH.AHB21), which was adopted:

Amend the joint resolution, as and if amended, by deleting SECTION 3, AND INSERTING:

/ SECTION 3. When determining commissioners or delegates, the appointing or electing body must take into account race, gender, and age so as to represent, to the greatest extent possible, all segments of the population of the State. /

Re-number sections to conform.

Amend title to conform.

Rep. LONG explained the amendment.

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The amendment was then adopted.

Rep. LONG proposed the following Amendment No. 7 to H. 3205 (COUNCIL\AHB\3205C005.BH.AHB21), which was tabled:

Amend the joint resolution, as and if amended, SECTION 2, by deleting item (5) And inserting:

/ (5) a convention of the states convened pursuant to this application must be limited to consideration of the topics specified in this joint resolution and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights; Article II, Section 1; and the thirteenth, fourteenth, and fifteenth amendments to the United States Constitution shall not be authorized for consideration at any stage. This application shall be void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights; /

Renumber sections to conform.

Amend title to conform.

Rep. LONG explained the amendment.

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

Rep. BAMBERG proposed the following Amendment No. 9 to H. 3205 (COUNCIL\DG\3205C001.NBD.DG21), which was tabled:

Amend the joint resolution, as and if amended, by striking SECTION 4 and inserting:

/ SECTION 4. This act takes effect upon:

(1) approval by the Governor; and

(2) the State of South Carolina is no longer in the top half of states who are federally-dependent. /

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

Rep. BAMBERG spoke in favor of the amendment.

Rep. FRY moved to table the amendment.

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

Yeas 71; Nays 47

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Bennett	Blackwell	Bradley
Brittain	Bryant	Bustos
Calhoon	Carter	Caskey
Chumley	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gatch	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Ligon
Lowe	Lucas	Martin
May	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Oremus	Ott
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	White	Whitmire
Willis	Wooten	

**Total--71**

Those who voted in the negative are:

Alexander	Allison	Anderson
Atkinson	Bamberg	Bernstein
Brawley	Clyburn	Cobb-Hunter
Dillard	Gagnon	Garvin
Gilliard	Govan	Hart
Hayes	Henderson-Myers	Henegan
Hill	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson

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King	Kirby	Long
Magnuson	Matthews	McCabe
McCravy	McDaniel	McKnight
J. Moore	Murray	Nutt
Rivers	Robinson	Rose
Rutherford	Stavrinakis	Tedder
Thigpen	Wetmore	Wheeler
R. Williams	S. Williams	

**Total--47**

So, the amendment was tabled.

Reps. KING and BRAWLEY proposed the following Amendment No. 10H. 3205 (COUNCIL\DG\3205C002.NBD.DG21), which was tabled:

Amend the joint resolution, SECTION 1, page 1, by striking lines 29-36 and inserting:

/ SECTION 1. (A) The General Assembly of South Carolina, by this joint resolution, hereby makes application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, including a constitutional prohibition on the State of South Carolina receiving federal funding, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress. /

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

Rep. KING spoke in favor of the amendment.

Rep. HART spoke in favor of the amendment.

Rep. TAYLOR spoke against the amendment.

Rep. BRAWLEY spoke in favor of the amendment.

Rep. JEFFERSON spoke in favor of the amendment.

Rep. FRY moved to table the amendment.

[HJ]

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

Yeas 68; Nays 50

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Bryant
Bustos	Calhoon	Carter
Caskey	Cogswell	Collins
B. Cox	W. Cox	Dabney
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gatch
Gilliam	Hardee	Herbkersman
Hewitt	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Lowe	Lucas
Martin	May	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Oremus
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	White	Whitmire
Willis	Wooten	

**Total--68**

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Bernstein	Brawley	Burns
Chumley	Clyburn	Cobb-Hunter
Dillard	Gagnon	Garvin
Gilliard	Govan	Haddon
Hayes	Henderson-Myers	Henegan
Hill	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Kirby	Long

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Magnuson	Matthews	McCabe
McCravy	McDaniel	McKnight
J. Moore	Murray	Nutt
Ott	Pendarvis	Rivers
Robinson	Rose	Rutherford
Stavrinakis	Tedder	Thigpen
Weeks	Wetmore	Wheeler
R. Williams	S. Williams	

**Total--50**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. OTT a temporary leave of absence.

Reps. KING and BRAWLEY proposed the following Amendment No. 11 to H. 3205 (COUNCIL\DG\3205C003.NBD.DG21), which was tabled:

Amend the joint resolution, SECTION 1, page 1, by striking lines 29-36 and inserting:

/ SECTION 1. (A) The General Assembly of South Carolina, by this joint resolution, hereby makes application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress. However, this application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal the Bill of Rights, or the 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, or 19<sup>th</sup> amendment. If any amendment thereto is made in violation hereof, this application shall be void ab initio. /

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

Rep. TAYLOR moved to table the amendment.

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

Yeas 68; Nays 43

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Bennett	Blackwell	Bradley
Brittain	Bryant	Bustos
Calhoon	Carter	Caskey
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gatch
Gilliam	Haddon	Hardee
Herbkersman	Hewitt	Hiott
Hixon	Huggins	Hyde
J. E. Johnson	Jordan	Kimmons
Ligon	Lowe	Lucas
Martin	May	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	Taylor	Thayer
West	White	Whitmire
Willis	Wooten	

**Total--68**

Those who voted in the negative are:

Allison	Anderson	Atkinson
Bamberg	Bernstein	Brawley
Burns	Chumley	Clyburn
Cobb-Hunter	Dillard	Gagnon
Garvin	Gilliard	Govan
Hayes	Henderson-Myers	Henegan
Hill	Hosey	Howard
Jefferson	K. O. Johnson	King
Long	Magnuson	Matthews

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McCabe	McCravy	McDaniel
J. Moore	Murray	Pendarvis
Rivers	Robinson	Rose
Rutherford	Stavrinakis	Tedder
Weeks	Wetmore	R. Williams
S. Williams		

**Total--43**

So, the amendment was tabled.

Rep. KING moved that the House do now adjourn.

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

Yeas 40; Nays 75

Those who voted in the affirmative are:

Alexander	Bamberg	Bernstein
Brawley	Clyburn	Cobb-Hunter
Dillard	Finlay	Garvin
Gilliard	Govan	Hayes
Henderson-Myers	Henegan	Hill
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	King
Kirby	Magnuson	Matthews
McCabe	McDaniel	McKnight
J. Moore	Murray	Pendarvis
Rivers	Robinson	Rose
Rutherford	Stavrinakis	Tedder
Wetmore	Wheeler	R. Williams
S. Williams		

**Total--40**

Those who voted in the negative are:

Allison	Anderson	Bailey
Ballentine	Bannister	Bennett
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey

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Chumley	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jordan
Kimmons	Ligon	Long
Lowe	Lucas	Martin
May	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
Taylor	Thayer	Trantham
Weeks	West	White
Whitmire	Willis	Wooten

**Total--75**

So, the House refused to adjourn.

Rep. MCKNIGHT spoke against the Bill.

Rep. SIMRILL moved cloture on the entire matter.

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

Yeas 73; Nays 42

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Chumley	Cogswell
Collins	B. Cox	W. Cox
Dabney	Daning	Davis

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Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gatch	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Ligon
Long	Lowe	Lucas
Martin	May	McCabe
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	Taylor
Thayer	Trantham	West
White	Whitmire	Willis
Wooten		

**Total--73**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bamberg	Bernstein	Brawley
Clyburn	Cobb-Hunter	Dillard
Gagnon	Garvin	Gilliard
Govan	Henderson-Myers	Henegan
Hill	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Kirby	Magnuson
Matthews	McCravy	McDaniel
McKnight	J. Moore	Pendarvis
Rivers	Robinson	Rose
Rutherford	Stavrinakis	Tedder
Thigpen	Weeks	Wetmore
Wheeler	R. Williams	S. Williams

**Total--42**

So, cloture was ordered.

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Rep. MCCRAVY spoke against the Bill.

**RULE 3.9 INVOKED**

Rep. KING moved that Rule 3.9 be invoked. The SPEAKER ordered an attendance vote.

The yeas and nays were taken resulting as follows:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	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	Finlay	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	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
Matthews	May	McCabe
McCraVY	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis

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Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten

**Total Present--117**

**RULE 3.9 RESCINDED**

Rep. SIMRILL moved to rescind Rule 3.9, which was agreed to.

Rep. MCCRAVY continued speaking.  
Rep. BAMBERG spoke against the Bill.  
Rep. KING spoke against the Bill.  
Rep. GOVAN spoke against the Bill.  
Rep. TAYLOR spoke in favor of the Bill.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. HAYES a leave of absence for the remainder of the day.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. BERNSTEIN a temporary leave of absence.

Rep. TAYLOR continued speaking.  
Rep. GARVIN spoke against the Bill.

Rep. MAGNUSON moved to continue the Bill.

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

Yeas 45; Nays 66

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Bamberg	Bernstein	Brawley
Chumley	Clyburn	Cobb-Hunter
Dillard	Gagnon	Garvin
Gilliard	Govan	Henderson-Myers
Henegan	Hill	Hosey

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Howard	Jefferson	J. L. Johnson
K. O. Johnson	Jones	King
Kirby	Long	Magnuson
Matthews	McCabe	McCrary
McDaniel	J. Moore	Pendarvis
Rivers	Robinson	Rose
Rutherford	Stavrakis	Tedder
Thigpen	Weeks	Wetmore
Wheeler	R. Williams	S. Williams

**Total--45**

Those who voted in the negative are:

Bailey	Ballentine	Bennett
Blackwell	Bradley	Brittain
Bryant	Bustos	Calhoon
Carter	Caskey	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Forrest	Fry
Gatch	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jordan
Kimmons	Ligon	Lowe
Lucas	May	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	Taylor	Thayer
Trantham	West	White
Whitmire	Willis	Wooten

**Total--66**

So, the House refused to continue the Bill.

Rep. TEDDER spoke against the Bill.

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Rep. PENDARVIS spoke against the Bill.  
Rep. R. WILLIAMS spoke against the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:  
Yeas 66; Nays 42

Those who voted in the affirmative are:

Allison	Ballentine	Bennett
Blackwell	Bradley	Brittain
Bryant	Bustos	Calhoon
Carter	Caskey	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Forrest	Fry
Gatch	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jordan
Kimmons	Ligon	Lowe
Lucas	May	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	Taylor	Thayer
Trantham	West	White
Whitmire	Willis	Wooten

**Total--66**

Those who voted in the negative are:

Alexander	Anderson	Bailey
Bamberg	Bernstein	Brawley
Clyburn	Cobb-Hunter	Dillard
Gagnon	Garvin	Gilliard
Govan	Henderson-Myers	Henegan
Hill	Hosey	Howard

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Jefferson	J. L. Johnson	K. O. Johnson
King	Kirby	Long
Magnuson	Matthews	McCabe
McCrary	McDaniel	Pendarvis
Rivers	Robinson	Rose
Rutherford	Stavrakis	Tedder
Thigpen	Weeks	Wetmore
Wheeler	R. Williams	S. Williams

**Total--42**

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

**SPEAKER IN CHAIR**

**H. 3050--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3050 -- Reps. D. C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

Rep. WOOTEN moved to adjourn debate on the Bill until Wednesday, May 12, which was agreed to.

**S. 40--DEBATE ADJOURNED**

The following Bill was taken up:

S. 40 -- Senator Grooms: A BILL TO AMEND SECTION 5-29-30 OF THE 1976 CODE, RELATING TO THE RIGHT OF MUNICIPALITIES TO ESTABLISH ON-STREET PARKING FACILITIES, TO PROVIDE THAT MUNICIPALITIES MAY NOT ESTABLISH OR ALTER PARKING FACILITIES ON ANY STATE

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HIGHWAY FACILITY WITHOUT THE PRIOR APPROVAL OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-5-840 OF THE 1976 CODE, RELATING TO ALTERATIONS BY A MUNICIPALITY OF STATE HIGHWAY FACILITIES, TO PROVIDE THAT RESTRICTIONS ON THE USE OF STATE HIGHWAY FACILITIES BY A MUNICIPALITY ARE SUBJECT TO PRIOR APPROVAL BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-845, TO PROVIDE THAT PARKING ON STATE HIGHWAY FACILITIES LOCATED ON BARRIER ISLANDS IS FREE AND ANY RESTRICTIONS MAY ONLY BE MADE BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-7-210 OF THE 1976 CODE, RELATING TO OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT THE FINE FOR VIOLATIONS IS CALCULATED ON A PER-DAY BASIS; TO AMEND SECTION 57-7-220 OF THE 1976 CODE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

Rep. BUSTOS moved to adjourn debate on the Bill until Wednesday, May 12, which was agreed to.

**H. 3055--CONTINUED**

The following Bill was taken up:

H. 3055 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220,

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RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL

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REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Rep. HIOTT moved to continue the Bill, which was agreed to.

**S. 525--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

Rep. CHUMLEY explained the Bill.

Reps. BALLENTINE, HERBKERSMAN, ERICKSON, BRADLEY, W. NEWTON, TRANTHAM, BENNETT and B. COX proposed the following Amendment No. 2 to S. 525 (COUNCIL\VR\525C001.CC.VR21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3.C. and inserting:

/ C.The provisions of this SECTION terminate on the fifth anniversary of the effective date of this act or after the Department of Health and Environmental Control completes five consecutive annual compliance reviews for an operational advanced recycling facility that find no violations and no need for enforcement actions, whichever is later. /

Re-number sections to conform.

Amend title to conform.

Rep. BALLENTINE explained the amendment.

Rep. BALLENTINE spoke in favor of the amendment.

Rep. HIOTT spoke against the amendment.

Rep. HIOTT spoke against the amendment.

**LEAVE OF ABSENCE**

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

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Rep. HIOTT continued speaking.

Rep. HIOTT moved to table the amendment.

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

Yeas 51; Nays 61

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Blackwell	Brittain	Bryant
Burns	Chumley	W. Cox
Crawford	Dabney	Daning
Elliott	Felder	Forrest
Fry	Gagnon	Gilliam
Haddon	Hardee	Hewitt
Hiott	Hixon	Hyde
J. E. Johnson	Jones	Jordan
Ligon	Long	Lowe
Lucas	Martin	May
McCabe	McCrary	McGarry
McGinnis	T. Moore	V. S. Moss
B. Newton	Nutt	Oremus
Rutherford	Sandifer	G. R. Smith
Taylor	Thayer	West
White	Whitmire	Willis

**Total--51**

Those who voted in the negative are:

Alexander	Anderson	Ballentine
Bamberg	Bennett	Bernstein
Bradley	Brawley	Bustos
Calhoon	Carter	Caskey
Clyburn	Cobb-Hunter	Cogswell
B. Cox	Davis	Dillard
Erickson	Garvin	Gatch
Gilliard	Govan	Henderson-Myers
Henegan	Herbkersman	Hill
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	Kimmons

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King	Kirby	Magnuson
McDaniel	J. Moore	Morgan
D. C. Moss	Murphy	W. Newton
Ott	Pendarvis	Pope
Rivers	Robinson	Rose
Simrill	G. M. Smith	M. M. Smith
Stavrinakis	Tedder	Thigpen
Trantham	Weeks	Wetmore
Wheeler	R. Williams	S. Williams
Wooten		

**Total--61**

So, the House refused to table the amendment.

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

Reps. PENDARVIS, W. NEWTON, HERBKERSMAN, BERNSTEIN, OTT, WETMORE and BALLENTINE proposed the following Amendment No. 1 to S. 525 (COUNCIL\CM\525C001.GT.CM21), which was tabled:

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

/ SECTION \_\_\_\_ . Article 2, Chapter 96, Title 44 of the 1976 Code is amended by adding:

“Section 44-96-345. (A) Beginning immediately upon the adoption of this act, the department shall not consider complete for review any application for a permit for a new advanced recycling facility or for the expansion or renewal of an existing advanced recycling facility, unless the permit applicant first:

(1) prepares an assessment of the potential environmental and public health stressors associated with the proposed new or expanded facility, including any adverse environmental or public health stressors that cannot be avoided if the permit is granted, and the environmental or public health stressors already borne by the community as a result of existing conditions located in or affecting the community; and

(2) organizes and conducts a public hearing in the community.

(B) The department shall, after review of the assessment and any other relevant information, including testimony and written comments received at the public hearing:

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(1) deny a permit for a new facility upon a finding by the department that approval of the permit, as proposed, would, together with other environmental or public health stressors affecting the community, cause or contribute to adverse cumulative environmental or public health stressors in the community that are higher than those borne by other communities within the State or county; or

(2) apply conditions to a permit for the expansion of an existing facility, or the renewal of an existing facility's permit, concerning the construction and operation of the facility to protect public health, upon a finding by the department that approval of a permit or permit renewal, as proposed, would, together with other environmental or public health stressors affecting the community, cause or contribute to adverse cumulative environmental or public health stressors in the overburdened community that are higher than those borne by other communities within the State or county.

(C) For all permits and authorizations related to advanced recycling facilities, the department shall be required to assess the cumulative impacts of that action and other related actions geographically and on the community in question.” /

Renumber sections to conform.

Amend title to conform.

Rep. PENDARVIS explained the amendment.

Rep. HIOTT spoke against the amendment.

Rep. HIOTT moved to table the amendment.

Rep. J. L. JOHNSON demanded the yeas and nays which were taken, resulting as follows:

Yeas 66; Nays 47

Those who voted in the affirmative are:

Allison	Bailey	Bennett
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Caskey	Chumley	Dabney
Daning	Davis	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hewitt	Hiott	Hixon

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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	Nutt
Oremus	Pope	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	Taylor	Thayer
Trantham	West	White
Whitmire	Willis	Wooten

**Total--66**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Ballentine	Bamberg	Bernstein
Brawley	Calhoon	Carter
Clyburn	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Dillard
Garvin	Gilliard	Govan
Henderson-Myers	Henegan	Herbkersman
Hill	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Kirby	Matthews
McDaniel	J. Moore	W. Newton
Ott	Pendarvis	Rivers
Robinson	Rose	M. M. Smith
Stavrinakis	Tedder	Thigpen
Weeks	Wetmore	Wheeler
R. Williams	S. Williams	

**Total--47**

So, the amendment was tabled.



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**POINT OF ORDER**

Rep. BAMBERG raised the Point of Order that S. 525 was out of order under Rule 5.13 because it did not have a fiscal impact statement.

Rep. HIOTT spoke against the Point of Order.

The SPEAKER overruled the Point of Order.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 15

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cogswell
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	J. E. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McCravy	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith

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Stavrinakis	Taylor	Thayer
Thigpen	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten

**Total--99**

Those who voted in the negative are:

Brawley	Cobb-Hunter	Gilliard
Howard	Jefferson	J. L. Johnson
King	Matthews	McDaniel
J. Moore	Rivers	Tedder
Trantham	Weeks	Wetmore

**Total--15**

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

**S. 587--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 587 -- Senator Turner: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

Rep. BALLENTINE explained the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 107; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Fry
Gagnon	Garvin	Gatch
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	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	Matthews
McCravy	McDaniel	McGarry
McGinnis	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White

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Whitmire  
Willis

R. Williams  
Wooten

S. Williams

**Total--107**

Those who voted in the negative are:

Dabney

May

McCabe

**Total--3**

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

**S. 677--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 677 (COUNCIL\DG\677C001.NBD.DG21), which was adopted:

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

/ SECTION 1. Section 12-2-100 of the 1976 Code is amended to read:

“Section 12-2-100. (A) Unless otherwise provided by law, a tax credit administered by the department must be used in the year it is generated and must not be refunded.

(B) A tax credit earned by a partnership or limited liability company taxed as a partnership pursuant to Sections 12-6-3535, 12-6-3795, or 12-65-10, including any unused credit amount carried forward, may be passed through to the partners or members and may be allocated among any of its partners or members on an annual basis, including, without limitation, an allocation of the entire credit to any partner or member who was a partner or member at any time in the year in which

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the credit or unused carryforward was allocated. The allocation must be allowed without regard to any provision of the Internal Revenue Code, or regulation promulgated pursuant to it, that may be interpreted as contrary to the allocation, including, without limitation, the treatment of the allocation as a disguised sale.” /

Renumber sections to conform.

Amend title to conform.

Rep. BALLENTINE explained the amendment.

The amendment was then adopted.

Rep. BRAWLEY proposed the following Amendment No. 2 to S. 677 (COUNCIL\DG\677C002.NBD.DG21), which was ruled out of order:

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

/ SECTION \_\_\_\_ . A. Section 12-37-250(A)(1) of the 1976 Code is amended to read:

“(1) The first ~~fifty~~ seventy-five thousand dollars of the fair market value of the dwelling place of a person is exempt from county, municipal, school, and special assessment real estate property taxes when the person:

(i) has been a resident of this State for at least one year and has reached the age of sixty-five years on or before December thirty-first;

(ii) has been classified as totally and permanently disabled by a state or federal agency having the function of classifying persons; or

(iii) is legally blind as defined in Section 43-25-20, preceding the tax year in which the exemption is claimed and holds complete fee simple title or a life estate to the dwelling place. A person claiming to be totally and permanently disabled, but who has not been classified by one of the agencies, may apply to the state agency of Vocational Rehabilitation. The agency shall make an evaluation of the person using its own standards.”

B. Section 12-37-245 of the 1976 Code is repealed.

C. This SECTION takes effect upon approval by the Governor and applies for property tax years beginning after 2020. /

Renumber sections to conform.

Amend title to conform.

Rep. BRAWLEY explained the amendment.

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**POINT OF ORDER**

Rep. SIMRILL raised the Point of Order that under Rule 9.3 that Amendment No. 2 to S.677 was not germane to the Bill.

Rep. BRAWLEY spoke against the Point of Order.

REP SIMRILL spoke in favor of the Point of Order.

The SPEAKER stated that the substantial effect of the Bill was to provide a tax credit to a limited number of businesses. He stated further that the substantial effect of the Amendment No. 2 was to provide an additional homestead exemption to individuals. He stated the Amendment went beyond the scope of the Bill and sustained the Point of Order.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 4

Those who voted in the affirmative are:

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

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

**Total--106**

Those who voted in the negative are:

Dabney	Martin	Matthews
McCabe		

**Total--4**

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

**LEAVE OF ABSENCE**

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

**S. 658--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 658 -- Senator Bennett: A BILL TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF

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INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650 OF THE 1976 CODE, RELATING TO AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND

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SECTION 9-11-110(3) OF THE 1976 CODE, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND TO REPEAL CHAPTER 2, TITLE 9 OF THE 1976 CODE, RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

Rep. KING proposed the following Amendment No. 1 to S. 658 (COUNCIL\DG\658C001.NBD.DG21), which was tabled:

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

/ SECTION \_\_\_\_ . Article 13, Chapter 1, Title 9 of the 1976 Code is amended by adding:

“Section 9-1-1622. Notwithstanding any other provision of law, a retired member of the retirement system may change their beneficiary at any time. The form of monthly payment may change at any time if necessitated by a change of beneficiary.” /

Re-number sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

Rep. HOWARD spoke in favor of the amendment.

Rep. HERBKERSMAN spoke against the amendment.

Rep. KING spoke in favor of the amendment.

Rep. HOWARD spoke in favor of the amendment.

Rep. HERBKERSMAN spoke against the amendment.

Rep. HERBKERSMAN moved to table the amendment.

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

Yeas 63; Nays 39

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Bradley
Brittain	Bryant	Bustos
Calhoon	Carter	Caskey
Chumley	Cogswell	B. Cox
Crawford	Daning	Davis
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Gatch	Gilliam	Herbkersman
Hewitt	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Ligon	Long	Lowe
Lucas	May	McCabe
McGarry	McGinnis	T. Moore
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	Taylor	Thayer
Trantham	West	White
Whitmire	Willis	Wooten

**Total--63**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bamberg	Bernstein	Brawley
Clyburn	Cobb-Hunter	W. Cox
Dabney	Dillard	Garvin
Gilliard	Govan	Henderson-Myers
Henegan	Hill	Hosey
Howard	Jefferson	J. L. Johnson
K. O. Johnson	Kimmons	King
Kirby	Martin	Matthews
McCrary	McDaniel	J. Moore
Ott	Pendarvis	Rivers

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Robinson	Rose	Rutherford
Tedder	R. Williams	S. Williams

**Total--39**

So, the amendment was tabled.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 9

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	B. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Govan	Haddon
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	May
McCabe	McDaniel	McGarry
McGinnis	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith

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M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Trantham
West	Wetmore	White
Whitmire	R. Williams	Willis
Wooten		

**Total--97**

Those who voted in the negative are:

Anderson	Brawley	W. Cox
Gilliard	Hill	Howard
King	McCravy	Rivers

**Total--9**

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

**S. 627--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin, Leatherman, Young and Gustafson: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE, SO AS TO PROVIDE THAT AN ELECTING PASS-THROUGH BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 627 (COUNCIL\SA\627C001.BH.SA21), which was adopted:

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

/ SECTION 1. Section 12-6-545 of the 1976 Code is amended by adding a new subsection at the end to read:

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“(G)(1)(a) ‘Qualified entity’ means a partnership or ‘S’ corporation including a limited liability company taxed as a partnership or ‘S’ corporation, where all of its owners are qualified owners or partnerships, and, where those partnerships are owned directly or through other partnerships by qualified owners.

(b) ‘Qualified owner’ means a partner or shareholder of a qualified entity that is an individual, estate, trust, or any other entity except those taxed or exempted from tax pursuant to Sections 12-6-530 through 12-6-540 and 12-6-550 and except for any other entity exempt from South Carolina income tax.

(2) A qualified entity may elect annually under this subsection to have its income taxed on its active trade or business income at the rate provided in subsection (B)(2) imposed on the qualified entity itself. Such elections must be made no later than the due date for filing the applicable income tax return, including any extensions.

(3) In computing South Carolina taxable income, a qualified owner shall exclude active trade or business income from an electing qualified entity provided that the qualified entity properly filed an income tax return and paid the taxes pursuant to this subsection that included the active trade or business income or loss.

(4) Active trade or business losses of the qualified owner from other pass-through entities that are reported directly by such owner may not reduce tax at a rate higher than the rate provided in subsection (B)(2).

(5) Active trade or business income for which this subsection is elected shall be apportioned by the pass-through entity pursuant to 12-6-2240, and none of it shall be treated as income from personal services that is allocated pursuant to 12-6-2220(6).

(6) Section 12-8-590, dealing with tax withholding on distributions to nonresident shareholders of ‘S’ corporations and nonresident partners, does not apply to electing qualified entities to the extent of the tax the electing entities pay on their active trade or business income.

(7) For tax years beginning after 2021, an electing qualified entity shall submit estimated tax payments pursuant to Section 12-6-3910.

(8) If the electing entity fails to pay the amount owed to the department with respect to income as a result of the election, the department may collect the amount from the electing entity or its direct or indirect owners based upon their proportionate share of the income, or both.

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(9) The basis of both resident and nonresident shareholders of a qualified S Corporation in their stock of the qualified S Corporation shall be determined as if the election under subsection (G)(2) had not been made and each of the shareholders of the qualified S Corporation had properly taken into account each shareholder's pro rata share of the qualified S Corporation's items of income, loss, and deduction in the manner required with respect to an S Corporation for which no such election is in effect. The basis of a qualified partnership, including a limited liability company taxed as a partnership shall be determined in the same manner."

SECTION 2. This act takes effect upon approval by the Governor and first applies to tax years beginning after 2020. /

Re-number sections to conform.

Amend title to conform.

Rep. CRAWFORD 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 104; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Bailey	Ballentine	Bamberg
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Henderson-Myers	Henegan
Hewitt	Hill	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson

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

**Total--104**

Those who voted in the negative are:

**Total--0**

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

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4350 -- Reps. Huggins, 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, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan,

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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 CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR PAUL F. YOUNGINER, SENIOR MANAGER OF THE SOUTH CAROLINA WEATHERIZATION ASSISTANCE PROGRAM, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-FIVE YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

**ADJOURNMENT**

At 8:18 p.m. the House, in accordance with the motion of Rep. LUCAS, adjourned in memory of Robbie Mae Williams, mother of Representative Robert Williams, to meet at 10:00 a.m. tomorrow.

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