

**Thursday, December 9, 2021**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at noon.

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

Our thought for today is from Psalm 94:17: “If the Lord had not been my help, my soul would soon have in the land of silence.”

Let us pray. Dear God, help us to see Your healing and saving work in our daily life. We thank You for feeding us with the food that sustains us in this life. Make these Representatives and staff strong in their belief for what they stand for. Grant Your blessings upon each of these Representatives and staff as they strive to do the right thing for the people of this State. Bless our defenders of freedom and first responders as they protect us. Bless our leaders as they work for the betterment of the people. Bless our World, Nation, President, State, Governor, Speaker, staff, and all who labor in this vineyard. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your Mercy, hear our prayers. Amen.

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

After corrections to the Journal of the proceedings of Monday, December 6, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. TEDDER moved that when the House adjourns, it adjourn in memory of former Representative Lucille Whipper, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the friends and family of Representative McCravy.

**SILENT PRAYER**

The House stood in silent prayer for the family and friends of Representative Hewitt.

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**REPORT OF STANDING COMMITTEE**

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3126 -- Reprs. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M. M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V. S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The following was introduced:

S. 880 -- Senator Grooms: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF ADDISON "JACK" GREENE, TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME GREENTOWN ROAD IN BERKELEY COUNTY, FROM ITS INTERSECTION WITH HARRISTOWN ROAD TO ITS INTERSECTION WITH SANTEE RIVER ROAD, "ADDISON 'JACK' GREENE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

**CONCURRENT RESOLUTION**

The following was introduced:

S. 881 -- Senator Grooms: A CONCURRENT RESOLUTION TO CONGRATULATE DOUG MCELVEEN FOR RECEIVING THE 2022 TIME DEALER OF THE YEAR AWARD.

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

**INTRODUCTION OF BILL**

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

S. 865 -- Senators Rankin, Campsen, Young, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS THE TRUE AND CORRECT ENUMERATION OF INHABITANTS OF THIS STATE AND TO IDENTIFY THE DATA USED IN THE CODE SECTIONS CONTAINING GEOGRAPHIC ASSIGNMENTS FOR ELECTION DISTRICTS; BY ADDING SECTION 2-1-75 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SOUTH CAROLINA SENATE ARE ELECTED COMMENCING WITH THE 2024 GENERAL ELECTION; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 2-1-70 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SENATE WERE FORMERLY ELECTED; TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

Referred to Committee on Judiciary

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ROLL CALL

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

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bennett	Bernstein
Blackwell	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	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	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	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	Whitmire	R. Williams

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S. Williams  
Yow

Willis

Wooten

**Total Present--109**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

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**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HEWITT a leave of absence for the day due to a death in the family.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSORS ADDED**

Bill Number: H. 3126  
Date: ADD:  
12/09/21 KIMMONS, DAVIS, MURPHY and FRY

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**CO-SPONSOR ADDED**

Bill Number: H. 3766  
Date: ADD:  
12/09/21 R. WILLIAMS

**CO-SPONSORS ADDED**

Bill Number: H. 4245  
Date: ADD:  
12/09/21 HUGGINS and WOOTEN

**CO-SPONSOR ADDED**

Bill Number: H. 4389  
Date: ADD:  
12/09/21 WOOTEN

**CO-SPONSOR REMOVED**

Bill Number: H. 3126  
Date: REMOVE:  
12/09/21 DILLARD

**HOUSE RESOLUTION**

The following was introduced:

H. 4684 -- Rules Committee: A HOUSE RESOLUTION TO SET BY SPECIAL ORDER H. 4493, RELATING TO THE BILL TO ADOPT THE UNITED STATES CENSUS OF 2020 AS OFFICIAL AND TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ARE ELECTED ACCORDINGLY, FOR CONCURRENCE IN SENATE AMENDMENTS ON THURSDAY, DECEMBER 9, 2021, IMMEDIATELY UPON ADOPTION OF THIS RESOLUTION; AND TO SET BY SPECIAL ORDER H. 3126, RELATING TO THE BILL TO PROHIBIT CERTAIN VACCINE MANDATES AND TO PROVIDE FOR FURTHER MATTERS RELATED TO FUNDING, FOR SECOND READING ON THURSDAY, DECEMBER 9, 2021, IMMEDIATELY FOLLOWING CONCURRENCE ON H. 4493 AND CONTINUING ON THE NEXT LEGISLATIVE DAY IMMEDIATELY AFTER THE ROLL CALL UNTIL H. 3126 IS GIVEN THIRD READING OR OTHER DISPOSITION.

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Rep. THAYER explained the House Resolution.

Rep. KING spoke against the House Resolution.

**POINT OF ORDER**

Rep. HART raised the Point of Order that Rule 8.10 stated that any member without debate may call for division of the question, if the Speaker determines the question is so distinct that it should be taken away. He stated that the Speaker had incorrectly responded to Rep. Weeks' question earlier when Rep. Weeks had asked if a motion to divide the question was appropriate on H. 4684.

The SPEAKER stated that the House could only divide the question on amendments and that the last sentence of Rule 8.10 specifically stated that the House could not divide the question on the bill. He overruled the Point of Order.

The Resolution was adopted.

**LEAVE OF ABSENCE**

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

**H. 4493--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 4493 -- Reps. Lucas and Murphy: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS OFFICIAL; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; AND TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED.

Rep. JORDAN explained the Senate Amendments.



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The yeas and nays were taken resulting as follows:

Yeas 75; Nays 27

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bamberg	Bennett
Blackwell	Brittain	Bryant
Burns	Bustos	Calhoon
Chumley	Cogswell	Collins
B. Cox	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hayes	Henegan
Hiott	Hixon	Hosey
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Nutt	Oremus	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Thayer	Trantham
West	Wetmore	Whitmire
Willis	Wooten	Yow

**Total--75**

Those who voted in the negative are:

Alexander	Anderson	Brawley
Clyburn	Cobb-Hunter	Garvin
Govan	Hart	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Matthews	McDaniel
McKnight	Ott	Pendarvis
Rivers	Robinson	Rose

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Rutherford  
Weeks

Tedder  
Wheeler

Thigpen  
R. Williams

**Total--27**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3126--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3126 -- Reprs. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M. M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V. S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

The Ways and Means Committee proposed the following Amendment No. 1 to H. 3126 (COUNCIL\SA\3126C011.DF.SA21), which was adopted:

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

/ SECTION 1. The State or any political subdivision thereof, including a school district, may not enact a COVID-19 vaccine mandate for any employee, independent contractor, nonemployee vendor, or student as a condition of employment or attendance.

SECTION 2. Chapter 15, Title 8 of the 1976 Code is amended by adding:

“Section 8-15-80. (A) Neither the State, nor any of its political subdivisions, may terminate a person employed as a first responder if the first responder does not undergo a COVID-19 vaccination.

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(B) For purposes of this section, ‘first responder’ means a law enforcement officer, firefighter, emergency medical technician, or paramedic who is paid from public funds.”

SECTION 3. (A) A private employer may not terminate or suspend an individual who does not receive a COVID-19 vaccination.

(B) If a private employer is subject to a federal vaccine mandate, it may allow an unvaccinated employee to undergo weekly COVID-19 testing without being subject to the forfeiture of federal funds.

(C) The Department of Health and Environmental Control and the Medical University of South Carolina shall partner with private employers to provide COVID-19 testing.

(D) From the Contingency Reserve Fund, there is appropriated ten million dollars to the Department of Health and Environmental Control and ten million dollars to the Medical University of South Carolina to fund COVID-19 testing for private employers.

SECTION 4. Any employer who violates any provision of this act is liable in a civil action for lost wages suffered by an employee as a result of the violation, and an employee discharged in violation of this act is entitled to be reinstated to his former position. Furthermore, an employee may recover costs and reasonable attorney's fees as the court may allow. The statute of limitations for actions under this act is one year.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act takes effect upon approval by the Governor and the provisions of this act are repealed on December 31, 2024 unless reauthorized by the General Assembly. /

Renumber sections to conform.

Amend title to conform.

Rep. JONES explained the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. BAMBERG spoke against the amendment.

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Rep. OTT spoke against the amendment.

Rep. OTT spoke against the amendment.

Rep. THIGPEN moved to divide the question.

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

Yeas 35; Nays 66

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bamberg	Brawley	Clyburn
Cobb-Hunter	Collins	Dillard
Garvin	Govan	Hart
Hayes	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	King
Matthews	McDaniel	McKnight
J. Moore	Ott	Pendarvis
Rivers	Robinson	Tedder
Thigpen	Wetmore	Wheeler
R. Williams	S. Williams	

**Total--35**

Those who voted in the negative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Brittain
Bryant	Burns	Bustos
Calhoon	Chumley	Cogswell
B. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Finlay	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McGarry	McGinnis

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T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Nutt
Oremus	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Trantham	West	Whitmire
Willis	Wooten	Yow

**Total--66**

So, the House refused to divide the question.

Rep. BRAWLEY spoke against the amendment.  
Rep. BRAWLEY spoke against the amendment.  
Rep. J. L. JOHNSON spoke against the amendment.  
Rep. PENDARVIS spoke against the amendment.  
Rep. PENDARVIS spoke against the amendment.  
Rep. GOVAN spoke against the amendment.  
Rep. MATTHEWS spoke against the amendment.

**LEAVE OF ABSENCE**

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

Rep. MATTHEWS continued speaking.  
Rep. FRY spoke in favor of the amendment.  
Rep. HOWARD spoke against the amendment.  
Rep. TEDDER spoke against the amendment.  
Rep. TEDDER spoke against the amendment.

The question then recurred to the adoption of the amendment, which was not agreed to.

**SPEAKER IN CHAIR**

Rep. COBB-HUNTER moved to reconsider the vote whereby Amendment No. 1 was rejected, which was agreed to.

Rep. COBB-HUNTER moved to table the amendment.

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Rep. G. M. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 35; Nays 65

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bamberg	Brawley	Clyburn
Cobb-Hunter	Cogswell	Collins
Dillard	Garvin	Govan
Hart	Hayes	Henderson-Myers
Henegan	Hill	Hosey
Howard	Jefferson	J. L. Johnson
K. O. Johnson	King	Matthews
McKnight	Ott	Pendarvis
Rose	Rutherford	Stavrakis
Tedder	Thigpen	Wetmore
Wheeler	R. Williams	

**Total--35**

Those who voted in the negative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Brittain
Bryant	Burns	Bustos
Calhoon	Chumley	B. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hiott	Hixon
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	Nutt	Oremus
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham

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West	Whitmire	Willis
Wooten	Yow	

**Total--65**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

The amendment was then adopted.

Rep. COBB-HUNTER proposed the following Amendment No. 3 to H. 3126 (COUNCIL\AHB\3126C001.BH.AHB21), which was tabled:

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

/ SECTION \_\_. Article 1, Chapter 13, Title 16 of the 1976 Code is amended by adding:

“Section 16-13-20. (A) It is unlawful for any person to produce a falsified or otherwise forged COVID-19 vaccine card or passport or to knowingly possess a falsified or otherwise forged COVID-19 vaccine card or passport. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than thirty days.

(B) Notwithstanding the provisions of Sections 22-3-540, 22-3-545, 22-3-550, and 14-25-65, violations of this section must be tried exclusively in magistrates court.” /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. L. JOHNSON a leave of absence for the remainder of the day.

Rep. COBB-HUNTER continued speaking.

Rep. TAYLOR moved to table the amendment.

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Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 39

Those who voted in the affirmative are:

Allison	Bailey	Bennett
Blackwell	Brittain	Bryant
Burns	Bustos	Calhoon
Chumley	B. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hill
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McCravy	McGarry
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Nutt
Oremus	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Trantham	West	Whitmire
Willis	Yow	

**Total--62**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Ballentine	Bamberg	Brawley
Clyburn	Cobb-Hunter	Cogswell
Collins	Dillard	Felder
Finlay	Garvin	Govan
Hardee	Hayes	Henderson-Myers
Henegan	Hosey	Howard
Jefferson	K. O. Johnson	King
Matthews	McGinnis	McKnight
Pendarvis	Rivers	Rose
Rutherford	Stavrinakis	Tedder



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Thigpen	Wetmore	Wheeler
R. Williams	S. Williams	Wooten

**Total--39**

So, the amendment was tabled.

Rep. COBB-HUNTER proposed the following Amendment No. 4 to H. 3126 (COUNCIL\SA\3126C013.DF.SA21), which was tabled:

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

/ SECTION \_\_. Doctors and hospital staff shall prioritize patients who have received the COVID-19 vaccine over patients who are unvaccinated against COVID-19 when medical resources are limited. /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. FORREST moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 68; Nays 30

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Brittain
Bryant	Burns	Bustos
Calhoon	Chumley	Collins
B. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hill	Hiott
Hixon	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCrary

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McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Nutt	Oremus
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	Whitmire	Willis
Wooten	Yow	

**Total--68**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Brawley	Clyburn	Cobb-Hunter
Dillard	Garvin	Govan
Hayes	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
K. O. Johnson	King	McKnight
J. Moore	Ott	Pendarvis
Rivers	Rose	Rutherford
Tedder	Thigpen	Wetmore
Wheeler	R. Williams	S. Williams

**Total--30**

So, the amendment was tabled.

Rep. HIOTT moved cloture on the entire matter.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 68; Nays 34

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Brittain
Bryant	Burns	Bustos
Calhoun	Chumley	B. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Finlay	Forrest

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Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hiott	Hixon	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
Nutt	Oremus	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Thayer	Thigpen	Trantham
West	Whitmire	Willis
Wooten	Yow	

**Total--68**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bamberg	Brawley	Clyburn
Cobb-Hunter	Collins	Dillard
Garvin	Hart	Hayes
Henderson-Myers	Henegan	Hill
Hosey	Howard	Jefferson
K. O. Johnson	King	Matthews
McKnight	J. Moore	Ott
Pendarvis	Rivers	Rose
Rutherford	Stavrinakis	Tedder
Wetmore	Wheeler	R. Williams
S. Williams		

**Total--34**

So, cloture was ordered.

Rep. COBB-HUNTER proposed the following Amendment No. 5 to H. 3126 (COUNCIL\SA\3126C014.DF.SA21), which was tabled:

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

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/ SECTION \_\_. An individual who is terminated as a result of refusing to receive the COVID-19 vaccine does not have any cause of action against his employer. /

Renumber sections to conform.  
Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.  
Rep. BAMBERG spoke against the amendment.

Rep. TAYLOR moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 68; Nays 29

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bamberg	Bennett	Blackwell
Brittain	Bryant	Burns
Bustos	Calhoon	Chumley
B. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hill	Hiott
Hixon	Huggins	Hyde
J. E. Johnson	Jones	Jordan
Kimmons	Ligon	Long
Lowe	Lucas	Magnuson
Martin	May	McCabe
McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Nutt	Oremus
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	Whitmire	Willis
Wooten	Yow	

**Total--68**

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Those who voted in the negative are:

Alexander	Anderson	Brawley
Clyburn	Cobb-Hunter	Collins
Dillard	Garvin	Govan
Hart	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
K. O. Johnson	King	Matthews
McKnight	J. Moore	Ott
Rivers	Rose	Rutherford
Tedder	Thigpen	Wetmore
R. Williams	S. Williams	

**Total--29**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

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

Rep. COBB-HUNTER proposed the following Amendment No. 6 to H. 3126 (COUNCIL\SA\3126C018.DF.SA21), which was tabled:

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

/ SECTION \_\_. An individual who is terminated as a result of refusing to receive the COVID-19 vaccine does not qualify for unemployment benefits. /

Re-number sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. BAMBERG moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 71; Nays 26

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Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bamberg	Bennett
Blackwell	Brittain	Bryant
Burns	Bustos	Calhoon
Chumley	B. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Hayes
Hill	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Nutt	Oremus	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Thayer	Thigpen	Trantham
West	Whitmire	Willis
Wooten	Yow	

**Total--71**

Those who voted in the negative are:

Anderson	Brawley	Clyburn
Cobb-Hunter	Collins	Dillard
Garvin	Hart	Henderson-Myers
Henegan	Hosey	Howard
Jefferson	K. O. Johnson	King
Matthews	J. Moore	Ott
Pendarvis	Rivers	Rose
Rutherford	Tedder	Wetmore
R. Williams	S. Williams	

**Total--26**

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So, the amendment was tabled.

Reps. BURNS and HIXON proposed the following Amendment No. 8 to H. 3126 (COUNCIL\VR\3126C004.CC.VR21), which was tabled:

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

/ SECTION \_\_. Chapter 29, Title 44 of the 1976 Code is amended by adding:

“Section 44-29-58. Vaccination status, possession of an immunity passport, or compliance with a mask mandate issued in response to an infectious disease may not be taken into consideration by an insurer, insurance agent, third party payer, or employer when setting any life or health insurance premium, determining the right to an insurance rebate, or making any other insurance-related cost or coverage decision. For purposes of this section:

(1) ‘Immunity passport’ means a document, digital record, or software application indicating that a person is immune to a disease, either through vaccination or infection and recovery.

(2) ‘Vaccination status’ means an indication of whether a person has received one or more doses of a vaccine.”

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

Re-number sections to conform.

Amend title to conform.

Rep. HIXON spoke in favor of the amendment.

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

Rep. McKNIGHT proposed the following Amendment No. 9 to H. 3126 (COUNCIL\SA\3126C015.DF.SA21), which was tabled:

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

**THURSDAY, DECEMBER 9, 2021**

/ SECTION \_\_\_\_\_. An individual who has not received the COVID-19 vaccine is responsible for all medical costs associated with any COVID-19 treatment or hospitalization. An insurance company is not liable for any hospitalization or medical bills related to COVID-19. /

Renumber sections to conform.  
Amend title to conform.

Rep. MCKNIGHT spoke in favor of the amendment.

Rep. HIOTT moved to table the amendment.

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

Yeas 74; Nays 26

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bennett	Blackwell
Brittain	Bryant	Burns
Bustos	Calhoon	Chumley
Collins	B. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Hayes
Hill	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Nutt	Oremus	Ott
Pope	Rose	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Thigpen	Trantham	West



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Wetmore	Whitmire	Willis
Wooten	Yow	

**Total--74**

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Brawley	Clyburn	Cobb-Hunter
Dillard	Garvin	Hart
Henderson-Myers	Henegan	Hosey
Howard	Jefferson	K. O. Johnson
King	Matthews	McDaniel
McKnight	J. Moore	Pendarvis
Rivers	Rutherford	Tedder
R. Williams	S. Williams	

**Total--26**

So, the amendment was tabled.

Rep. COBB-HUNTER proposed the following Amendment No. 10 to H. 3126 (COUNCIL\PH\3126C001.JN.PH21), which was tabled:

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

/ SECTION \_\_. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38-71-300. Insurers offering individual and group health insurance policies or health maintenance organizations, including the State Health Plan, may charge a higher premium to any insured who has not received a COVID-19 vaccination.” /

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. HIXON moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 66; Nays 33

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Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Brittain
Bryant	Burns	Bustos
Calhoon	Chumley	B. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hill	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Nutt
Oremus	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Trantham	West	Whitmire
Willis	Wooten	Yow

**Total--66**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bamberg	Brawley	Cobb-Hunter
Collins	Dillard	Garvin
Govan	Hart	Hayes
Henderson-Myers	Henegan	Hosey
Howard	Jefferson	K. O. Johnson
King	Matthews	McKnight
J. Moore	Ott	Pendarvis
Rivers	Rose	Rutherford
Tedder	Thigpen	Wetmore
Wheeler	R. Williams	S. Williams

**Total--33**

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So, the amendment was tabled.

Rep. BAMBERG proposed the following Amendment No. 11 to H. 3126 (COUNCIL\SA\3126C020.DF.SA21), which was tabled:

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

/ SECTION \_\_. (A) There is created the Small Business Relief Fund under the Department of Administration. A small business may apply for a grant for a financial loss incurred due to unvaccinated employees and the spread of COVID-19 in the workplace.

(B) From the Contingency Reserve Fund, there is appropriated five hundred million dollars to the Small Business Relief Fund. Funds are distributed on a first come first served basis until the fund is exhausted.

(C) The Department of Administration shall develop criteria for small businesses to receive a grant. /

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG spoke in favor of the amendment.

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

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

Yeas 71; Nays 26

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bennett	Blackwell
Brittain	Bryant	Burns
Bustos	Calhoon	Chumley
Collins	B. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hayes	Hill
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Ligon
Long	Lowe	Lucas

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Magnuson	Martin	May
McCabe	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Nutt
Oremus	Ott	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Thayer	Trantham	West
Wheeler	Whitmire	Willis
Wooten	Yow	

**Total--71**

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Brawley	Clyburn	Cobb-Hunter
Dillard	Garvin	Govan
Hart	Henderson-Myers	Hosey
Howard	Jefferson	K. O. Johnson
King	Matthews	McKnight
J. Moore	Pendarvis	Rivers
Rose	Rutherford	Tedder
R. Williams	S. Williams	

**Total--26**

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 12 to H. 3126 (COUNCIL\SA\3126C021.DF.SA21), which was tabled:

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

/ SECTION \_\_. An individual who is vaccinated against COVID-19 who is terminated because of his refusal to work with unvaccinated individuals may bring an action against his employer for lost wages in an amount equal to the employee's wages for one year. Furthermore, an employee may recover costs and reasonable attorney's fees as the court may allow. /

Renumber sections to conform.

Amend title to conform.

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Rep. KING spoke in favor of the amendment.

Rep. MARTIN moved to table the amendment.

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

Yeas 73; Nays 25

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bennett	Blackwell
Brittain	Bryant	Burns
Bustos	Calhoon	Chumley
Collins	B. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Hayes
Hill	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Nutt	Oremus	Ott
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	Wetmore	Wheeler
Whitmire	Willis	Wooten
Yow		

**Total--73**

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Brawley	Clyburn	Cobb-Hunter
Dillard	Garvin	Hart

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Henderson-Myers	Hosey	Jefferson
K. O. Johnson	King	Matthews
McKnight	J. Moore	Pendarvis
Rivers	Rose	Rutherford
Tedder	Thigpen	R. Williams
S. Williams		

**Total--25**

So, the amendment was tabled.

Rep. BAMBERG proposed the following Amendment No. 13 to H. 3126 (COUNCIL\AHB\3126C003.BH.AHB21), which was tabled:

Amend the bill, as and if amended, SECTION 4, by adding at the end:

/ Nothing in this act prohibits an employee from filing a civil action against the State or political subdivision of the State, including school districts, for a violation of a provision of this act. And, the limitations provided in Chapter 78, Title 15, the Tort Claims Act, do not apply to any civil action filed pursuant to the provisions of this act. /

Re-number sections to conform.

Amend title to conform.

Rep. BAMBERG spoke in favor of the amendment.

Rep. THIGPEN spoke against the amendment.

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

Reps. ELLIOTT and ERICKSON proposed the following Amendment No. 14 to H. 3126 (COUNCIL\AHB\3126C004.BH.AHB21):

Amend the bill, as and if amended, by deleting SECTION 3(A).

Amend the bill further, by deleting SECTION 4.

Re-number sections and subsections to conform.

Amend title to conform.

Rep. ELLIOTT moved to adjourn debate on the amendment, which was agreed to.

Reps. SIMRILL, G.M. SMITH and HIOTT proposed the following Amendment No. 16 to H. 3126 (COUNCIL\SA\3126C026.DF.SA21), which was adopted:

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

/ SECTION 1. The State or any political subdivision thereof, including a school district, may not enact a COVID-19 vaccine mandate for any employee, independent contractor, nonemployee vendor, or student as a condition of employment or attendance.

SECTION 2. Chapter 15, Title 8 of the 1976 Code is amended by adding:

“Section 8-15-80. (A) Neither the State, nor any of its political subdivisions, may terminate a person employed as a first responder if the first responder does not undergo a COVID-19 vaccination.

(B) For purposes of this section, ‘first responder’ means a law enforcement officer, firefighter, emergency medical technician, or paramedic who is paid from public funds.”

SECTION 3. (A) If a private employer terminates or suspends an individual because they do not receive a COVID-19 vaccination, that individual is eligible for unemployment benefits.

(B) The General Assembly holds that a federal vaccine mandate is unconstitutional and shall not be enforced by this State. However, if a private employer believes it is subject to the forfeiture of federal funds due to a failure to require employees to receive a COVID-19 vaccination, the private employer may require an unvaccinated employee to undergo weekly COVID-19 testing.

(C) The Department of Health and Environmental Control and the Medical University of South Carolina shall partner with private employers to provide COVID-19 testing.

(D) From the Contingency Reserve Fund, there is appropriated ten million dollars to the Department of Health and Environmental Control and ten million dollars to the Medical University of South Carolina to fund COVID-19 testing for private employers.

SECTION 4. Notwithstanding any other provision of law, a religious exemption or medical exemption must be honored in regards to any COVID-19 vaccine requirement. A medical exemption may include the presence of antibodies, a prior positive COVID-19 test, or pregnancy.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that

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any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act takes effect upon approval by the Governor and the provisions of this act are repealed on December 31, 2022 unless reauthorized by the General Assembly. /

Re-number sections to conform.

Amend title to conform.

Rep. SIMRILL spoke in favor of the amendment.

Rep. HILL spoke against the amendment.

Rep. OTT spoke against the amendment.

Rep. THIGPEN moved to commit the Bill to the Committee on Judiciary.

Rep. SIMRILL moved to table the motion.

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

Yeas 66; Nays 33

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Brittain
Bryant	Burns	Bustos
Calhoon	Chumley	Collins
B. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Nutt



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

**Total--66**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bamberg	Brawley	Clyburn
Cobb-Hunter	Dillard	Finlay
Garvin	Govan	Hart
Hayes	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
K. O. Johnson	King	Matthews
McKnight	J. Moore	Ott
Pendarvis	Rivers	Rose
Rutherford	Tedder	Thigpen
Wheeler	R. Williams	S. Williams

**Total--33**

So, the motion to commit the Bill was tabled.

Rep. BAMBERG moved that the House recede until 5:48 p.m.

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

Yeas 20; Nays 80

Those who voted in the affirmative are:

Alexander	Bamberg	Collins
Daning	Dillard	Hart
Henderson-Myers	Hill	Jefferson
Matthews	Ott	Pendarvis
Rivers	Rose	Rutherford
Thigpen	Wetmore	Wheeler
R. Williams	S. Williams	

**Total--20**

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Those who voted in the negative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bennett
Blackwell	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Chumley	Clyburn
Cobb-Hunter	B. Cox	Crawford
Dabney	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Govan	Haddon	Hardee
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
J. E. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Nutt	Oremus	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Tedder	Thayer	Trantham
West	Whitmire	Willis
Wooten	Yow	

**Total--80**

So, the House refused to recede.

Rep. BRAWLEY spoke against the amendment.

The question then recurred to the adoption of the amendment.

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

Yeas 68; Nays 28

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Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Brittain
Bryant	Burns	Bustos
Calhoon	Chumley	Collins
B. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	Martin
McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Nutt	Oremus
Ott	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Thigpen	Trantham	West
Wheeler	Whitmire	Willis
Wooten	Yow	

**Total--68**

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Brawley	Clyburn	Cobb-Hunter
Dillard	Garvin	Henderson-Myers
Henegan	Hill	Hosey
Howard	Jefferson	K. O. Johnson
King	Matthews	May
McCabe	McKnight	J. Moore
Pendarvis	Rivers	Rose
Rutherford	Tedder	R. Williams
S. Williams		

**Total--28**

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The amendment was then adopted.

**POINT OF ORDER**

Rep. HART raised the Point of Order that the adoption of Amendment 16 required the Bill to have a revised fiscal impact statement.

The SPEAKER stated the House Rules did not require a Bill that was amended on the House floor to have a revised fiscal impact statement. He overruled the Point of Order.

Reps. ELLIOTT and ERICKSON proposed the following Amendment No. 14 to H. 3126 (COUNCIL\AHB\3126C004. BH.AHB21), which was tabled:

Amend the bill, as and if amended, by deleting SECTION 3(A).

Amend the bill further, by deleting SECTION 4.

Renumber sections and subsections to conform.

Amend title to conform.

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

Rep. MCKNIGHT spoke against the Bill.

Rep. KING spoke against the Bill.

Rep. BAMBERG spoke against the Bill.

**LEAVE OF ABSENCE**

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

Rep. OTT spoke against the Bill.

Rep. WOOTEN spoke in favor of the Bill.

Rep. R. WILLIAMS spoke against the Bill.

Rep. TAYLOR spoke in favor of the Bill.

Rep. JONES spoke in favor of the Bill.

Rep. MAGNUSON spoke in favor of the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 67; Nays 31

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Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bennett	Blackwell
Brittain	Bryant	Burns
Bustos	Calhoon	Chumley
B. Cox	Crawford	Dabney
Davis	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hayes	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Nutt	Oremus	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Thayer	Trantham	West
Whitmire	Willis	Wooten
Yow		

**Total--67**

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Brawley	Clyburn	Cobb-Hunter
Collins	Daning	Dillard
Garvin	Govan	Henderson-Myers
Hill	Hosey	Howard
Jefferson	K. O. Johnson	King
Matthews	McDaniel	McKnight
J. Moore	Ott	Pendarvis
Rivers	Rose	Rutherford
Tedder	Wheeler	R. Williams
S. Williams		

**Total--31**

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

**RECORD FOR VOTING**

Section 3(B) of H. 3126, as amended by Amendment 16, makes concessions to federal vaccine mandates for employees and encourages some industries to comply with mandating vaccines for their employees so as to not lose federal funding. Instead of making concessions to unconstitutional federal mandates and the deficit spending which funds them, South Carolina for the sake of its citizens should be asserting its rights under the Tenth Amendment of the United States Constitution and resisting the mandates.

Sections 3(C) and (D) of this bill encourage employers to implement repetitive, unnecessary, and expensive testing of employees who may or may not be symptomatic. This is a wasteful use of the \$20 million dollars that are appropriated in this bill.

Furthermore, the explicit protections against private employer mandates was removed, and the primary enforcement mechanism was removed, so that employees who are harmed by employer vaccine mandates no longer have recourse in court.

I am compelled by my oath of office to "preserve, protect, and defend the Constitution of this State and of the United States."

For all of these reasons, I voted against this bill as amended.

Rep. Jonathan D. Hill

House District 8

**STATEMENT FOR THE JOURNAL**

Due to a medical emergency, I was absent on December 9 and December 10. If I had been able to be present, I would have voted in favor of H.3126, as amended, on second and third reading.

Rep. Wm. Weston J. Newton

**STATEMENT FOR THE JOURNAL**

I was absent for December 9 and December 10, however had I been present I would have voted in favor of H. 3126, as amended on second and third reading.

Rep. West Cox

**THURSDAY, DECEMBER 9, 2021**

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on H. 3126. If I had been present, I would have voted against the Bill.

Rep. Chris Hart

**MOTION ADOPTED**

Rep. D. C. MOSS moved that when the House adjourn today, it stand adjourned to next meet in Statewide Session on Friday, December 10, at 10:00 a.m., which was agreed to.

Rep. D. C. MOSS moved that the House do now adjourn, which was agreed to.

**ADJOURNMENT**

At 6:29 p.m. the House, in accordance with the motion of Rep. TEDDER, adjourned in memory of former Representative Lucille Whipper, to meet at 10:00 a.m. tomorrow.

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**THURSDAY, DECEMBER 9, 2021**

H. 3126 .....	2, 6, 7, 10	H. 4493 .....	7, 8
H. 3126 .....	15, 17, 19, 21	H. 4684 .....	7, 8
H. 3126 .....	23, 25, 27, 28		
H. 3126 .....	30, 36, 38	S. 865 .....	3
H. 3766 .....	7	S. 880 .....	2
H. 4245 .....	7	S. 881 .....	2
H. 4389 .....	7		