

NO. 25

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

WEDNESDAY, FEBRUARY 23, 2022
(STATEWIDE SESSION)

Wednesday, February 23, 2022
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Ecclesiastes 11:2: "Divide your means seven ways, or even eight, for you do not know what disaster may happen on earth."

Let us pray. We are Your beloved children, O God, no matter what. Remind us each day of the gift of being Your children so that we may we speak hope and peace into being for all who need it. Trusting in You we pray. We pray for those first responders and caregivers who provide care for us. Be our guide and love for our World, Nation, President, State, Governor, Speaker, Staff, and all who labor in these vineyards. Bless and protect those who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

MOTION ADOPTED

Rep. MCDANIEL moved that when the House adjourns, it adjourn in memory of Josie Glenn Gaston, which was agreed to.

STATEMENT BY REP. PENDARVIS

Rep. PENDARVIS made a statement relative to the life and legacy of Abraham "Abe" Jenkins, Jr., of Charleston.

ACTING SPEAKER OREMUS IN CHAIR

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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	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. 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

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R. Williams
Wooten

S. Williams
Yow

Willis

Total Present--113

STATEMENTS OF ATTENDANCE

Reps. WEST and CRAWFORD signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Tuesday, February 22.

SPEAKER IN CHAIR

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

[HJ]

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LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. Greg Squires of Columbia was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED AND REMOVED

In accordance with House Rule 5.2 below:

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

CO-SPONSOR ADDED

Bill Number: H. 3288
Date: ADD:
02/23/22 HUGGINS

CO-SPONSOR ADDED

Bill Number: H. 3337
Date: ADD:
02/23/22 FELDER

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CO-SPONSORS ADDED

Bill Number: H. 3347
Date: ADD:
02/23/22 WEEKS and M. M. SMITH

CO-SPONSOR ADDED

Bill Number: H. 3840
Date: ADD:
02/23/22 HUGGINS

CO-SPONSOR ADDED

Bill Number: H. 4817
Date: ADD:
02/23/22 HARDEE

CO-SPONSORS ADDED

Bill Number: H. 4880
Date: ADD:
02/23/22 GILLIAM, B. NEWTON, MCGARRY, OTT,
GOVAN, COBB-HUNTER, LOWE, M. M. SMITH,
R. WILLIAMS, LONG, BURNS, NUTT, JONES,
LIGON, MAY, T. MOORE, HYDE, HADDON,
MAGNUSON, JORDAN, WEEKS and BAMBERG

CO-SPONSORS ADDED

Bill Number: H. 4956
Date: ADD:
02/23/22 DANING and M. M. SMITH

CO-SPONSOR ADDED

Bill Number: H. 4978
Date: ADD:
02/23/22 WEST

CO-SPONSOR REMOVED

Bill Number: H. 3565
Date: REMOVE:
02/23/22 K. O. JOHNSON

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CO-SPONSOR REMOVED

Bill Number: H. 4534
Date: REMOVE:
02/23/22 HYDE

**S. 912--DEBATE ADJOURNED ON MOTION TO
RECONSIDER**

Rep. GATCH moved to reconsider the vote whereby the following Bill was read second time:

S. 912 -- Senator Stephens: A BILL TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.

Rep. GATCH moved to adjourn debate on the motion to reconsider, which was agreed to.

SENT TO THE SENATE

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

H. 4600 -- Reps. West and Bennett: A BILL TO AMEND SECTIONS 44-22-40 AND 44-22-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY CONSENT ON BEHALF OF CERTAIN PATIENTS TO ELECTRO-CONVULSIVE THERAPY OR MAJOR MEDICAL TREATMENT, SO AS TO CONFORM THE ORDER OF PRIORITY OF SUCH PERSONS TO THE ORDER OF PRIORITY IN THE ADULT HEALTH CARE CONSENT ACT.

H. 3598 -- Reps. McGarry, B. Newton, May, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Carter, Yow, W. Newton, Jones, Matthews, Blackwell, Oremus, Taylor, Hixon, Forrest, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-11-85 SO AS TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION

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BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

H. 4143 -- Reps. R. Williams, Jefferson and Matthews: A BILL TO AMEND SECTION 56-5-4710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF MOUNTED OSCILLATING, ROTATING, OR FLASHING RED LIGHTS BY WRECKERS, SO AS TO PROVIDE WRECKERS MUST USE THEIR NONRED FLASHING WARNING LIGHTS WHEN PICKING UP ANOTHER VEHICLE.

H. 4939 -- Reps. Haddon, Hiott, Yow, Ligon, Forrest, Garvin, Magnuson, Burns, Chumley, Long, Ott, Gilliam, May, Pope, S. Williams, J. Moore, Pendarvis, Atkinson, Hayes, Hixon, V. S. Moss, White and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-3-290 SO AS TO DIRECT THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A "CERTIFIED S.C. RAISED BEEF" DESIGNATION AND TO PROVIDE LABELS FOR ANY APPLICANT WHO MEETS THE CRITERIA; AND BY ADDING SECTION 47-17-160 SO AS TO ALLOW BEEF PRODUCERS IN THIS STATE TO CARRY A "CERTIFIED S.C. RAISED BEEF" DESIGNATION.

H. 4778 -- Reps. W. Cox, West, Collins, Carter, Gagnon, Parks, Sandifer, White, Thayer, Hyde, Whitmire and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

H. 3538 -- Reps. Bradley and Erickson: A BILL TO AMEND SECTION 50-15-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALLIGATOR MANAGEMENT PROGRAM, SO AS TO ESTABLISH THAT THE DEPARTMENT OF

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NATURAL RESOURCES MUST SET CONDITIONS FOR THE HUMANE TAKING AND DISPOSITION OF ALLIGATORS; TO PROHIBIT THE TAKING OF ALLIGATORS FROM A SANCTUARY UNLESS THE ALLIGATOR HAS BEEN DETERMINED TO BE A NUISANCE; TO REQUIRE THE DEPARTMENT TO ESTABLISH SPECIFIC METHODS OF HUMANE CAPTURE, REMOVAL, AND DISPOSAL OF ALLIGATOR PARTS; AND TO EXPAND THE SCOPE OF ACTIONS VIOLATING THE PROVISIONS OF THIS SECTION TO INCLUDE THE INHUMANE TAKING, REMOVING, AND DISPOSITION OF AN ALLIGATOR OR ALLIGATOR PARTS, AND TO PROVIDE THAT THE OFFICIAL CITATION ISSUED BY ENFORCEMENT OFFICERS MAY BE USED TO CITE VIOLATIONS OF THIS SECTION.

H. 4904 -- Rep. Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47-3-420, RELATING TO METHODS OF ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF NATURAL RESOURCES.

H. 4905 -- Rep. Hixon: A BILL TO AMEND SECTION 50-13-230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

H. 4538--DEBATE ADJOURNED

The following Bill was taken up:

H. 4538 -- Reps. Whitmire, Bustos, Forrest and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-1-320 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF AN ELECTRONIC COLLAR OR OTHER ELECTRONIC DEVICE PLACED ON A DOG BY ITS OWNER TO MAINTAIN CONTROL OF THE DOG.

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Rep. HIOTT moved to adjourn debate on the Bill until Thursday, February 24, which was agreed to.

H. 4597--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4597 -- Reps. Bustos, M. M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

Rep. HART explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Bustos	Calhoon
Carter	Caskey	Collins
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan

[HJ]

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Herbkersman	Hewitt	Hill
Hiott	Hixon	Howard
Huggins	Hyde	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	B. Newton
Oremus	Ott	Pendarvis
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	R. Williams
Wooten		

Total--94

Those who voted in the negative are:

Total--0

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

STATEMENT FOR JOURNAL

I was in the lobby meeting with our local FFA Chapters during the vote for H. 4597 and unable to vote, however I would have voted in favor of its passage.

Rep. West Cox

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4597. If I had been present, I would have voted in favor of the Bill.

Rep. Bobby Cox

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STATEMENT FOR JOURNAL

I was on excused leave due to a prior family commitment and missed the vote to give H. 4597 second reading. If present, I would have voted to give the bill second reading.

Rep. Wm. Weston Newton

HOUSE RESOLUTION

The following was taken up for immediate consideration:

H. 5012 -- Rules Committee: A HOUSE RESOLUTION TO SET BY SPECIAL ORDER H. 4880, THE BILL RELATING TO INCOME TAX REDUCTIONS, FOR SECOND READING ON WEDNESDAY, FEBRUARY 23, 2022, IMMEDIATELY UPON ADOPTION OF THE SPECIAL ORDER RESOLUTION, AND TO PROVIDE FOLLOWING THE ROLL CALL ON EACH LEGISLATIVE DAY THEREAFTER, FOR THE CONTINUING SPECIAL ORDER CONSIDERATION UNTIL H. 4880 IS GIVEN THIRD READING OR OTHER DISPOSITION.

Be it resolved by the House of Representatives:

That H. 4880, relating to income tax reductions, is set by special order for second reading consideration on Wednesday, February 23, 2022, immediately following adoption of the special order resolution and to provide, following the roll call on each legislative day thereafter, for continuing special order consideration until H. 4880 is given third reading or other disposition.

Rep. THAYER explained the Resolution.

The Resolution was adopted.

H. 4880--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4880 -- Reps. Simrill, Lucas, Pope, G. M. Smith, Crawford, Huggins, Erickson, Bradley, Ballentine, Hardee, W. Newton, White, Thayer, West, Fry, Hewitt, Gagnon, Willis, Gilliam, B. Newton, McGarry, Ott, Govan, Cobb-Hunter, Lowe, M. M. Smith, R. Williams, Long, Burns, Nutt, Jones, Ligon, May, T. Moore, Hyde, Haddon, Magnuson, Jordan, Weeks and Bamberg: A BILL TO AMEND

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SECTION 12-6-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO SIX PERCENT AND TO SPECIFY THE MANNER IN WHICH THE REDUCTION OCCURS; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO ALLOW FOR THE DEDUCTION OF ALL MILITARY RETIREMENT INCOME; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 4880 (COUNCIL\DG\4880C001.NBD.DG22), which was adopted:

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

/ SECTION 1. Section 12-6-510 of the 1976 Code is amended to read:

“Section 12-6-510. (A) Subject to the provisions of subsection (B), for taxable years beginning after 1994, a tax is imposed on the South Carolina taxable income of individuals, estates, and trusts and any other entity except those taxed or exempted from taxation under Sections 12-6-530 through 12-6-550 computed at the following rates with the income brackets indexed in accordance with Section 12-6-520:

Not over \$2,220	2.5 percent of taxable income
Over \$2,220 but not over \$4,440	\$56 plus 3 percent of the excess over \$2,220;
Over \$4,440 but not over \$6,660	\$123 plus 4 percent of the excess over \$4,440;
Over \$6,660 but not over \$8,880	\$212 plus 5 percent of the excess of \$6,660;
Over \$8,880 but not over \$11,100	\$323 plus 6 percent of the excess over \$8,880;
Over \$11,100	\$456 plus 7 percent of the excess over \$11,100.

(B)(1) Notwithstanding subsection (A), for taxable years beginning after 2021, a tax is imposed on the South Carolina taxable income of individuals, estates, and trusts and any other entity except those taxed or exempted from taxation under Sections 12-6-530 through 12-6-550 computed at the following rates with the income brackets indexed in accordance with Section 12-6-520:

<u>At Least</u>	<u>But less than</u>	<u>Compute the tax as follows</u>
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<u>\$0</u>	<u>\$3,200</u>	<u>0% times the amount</u>
<u>\$3,200</u>	<u>\$16,040</u>	<u>3% times the amount minus \$96</u>
<u>\$16,040</u>	<u>or more</u>	<u>6% times the amount minus \$577</u>

(2) Notwithstanding the provisions of item (1), the reduction in the top marginal rate contained in this item, as compared to the same in subsection (A), must be phased-in as provided in item (3). Until the top marginal rate is fully phased-in, the bracket to which this reduced top marginal rate applies must be the same as the bracket for the top marginal rate provided in subsection (A). All reductions are permanent and cumulative. During the phase-in and after, the department shall continue to adjust the brackets as provided in Section 12-6-520. Other than the top marginal rate, no other component of this item is phased-in.

(3) For Tax Year 2022, the top marginal rate shall equal 6.5%. Beginning with Tax Year 2023, and each year thereafter until the top marginal rate equals 6%, the top marginal rate must decrease by one-tenth of one percent if general fund revenues are projected to increase by at least five percent in the fiscal year that begins during the tax year. For purposes of this subsection, beginning with the initial forecast required pursuant to Section 11-9-1130, the general fund revenues projection must be determined by the Revenue and Fiscal Affairs Office by comparing the current fiscal year's recurring general fund expenditure base with the Board of Economic Advisors' most recent projection of recurring general fund revenue for the upcoming fiscal year. Upon the issuance of the initial forecast, the Executive Director of the Revenue and Fiscal Affairs Office, or his designee, shall notify the Department of Revenue of the projected percentage adjustment. The executive director, or his designee, shall provide similar notice if subsequent modifications to the forecast change the projected percentage adjustment. However, the forecast in effect on February fifteenth of the current fiscal year is the final forecast for which the percentage adjustment is determined, and no subsequent forecast modifications may have any effect on that determination. For purposes of this section, 'recurring general fund revenue' and 'recurring general fund expenditure base' have the same meaning as provided in Section 6-27-30.

(C) The department may prescribe tax tables consistent with the rates set pursuant to ~~subsection (A)~~ this section.” /

Renumber sections to conform.

Amend title to conform.

Rep. SIMRILL explained the amendment.

[HJ]

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The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

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	Clyburn
Cobb-Hunter	Collins	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. 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

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Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis
Wooten	Yow	

Total--110

Those who voted in the negative are:

Total--0

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

STATEMENT FOR THE JOURNAL

I was on excused leave due to a prior family commitment and missed the vote to give second reading to H. 4880. As a co-sponsor, I support its passage and the tax relief it provides to all South Carolinians, including our military retirees.

Rep. Wm. Weston J. Newton

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4880. If I had been present, I would have voted in favor of the Bill.

Rep. Bobby Cox

STATEMENT FOR THE JOURNAL

Regarding the income tax bill currently before the House, I would have proudly voted for the legislation if I were in Chambers today. I am a proud cosponsor of the bill and in total sync with Governor McMaster and House Republicans in their push to lower taxes on all South Carolinians. I look forward to voting for the legislation on third reading Thursday.

Rep. Russell Fry

STATEMENT FOR THE JOURNAL

I was granted medical leave on 2/23/22 and was unable to vote on H. 4880. However, if I had been present, I would have voted in favor of this landmark tax cut that benefits all South Carolina citizens.

Rep. Chris Murphy

[HJ]

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H. 3599--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3599 -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 3599 (COUNCIL\WAB\3599C001.JN.WAB22), which was adopted:

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

/ SECTION 1. Chapter 36, Title 40 of the 1976 Code is amended by adding:

“Article 3

Occupational Therapy Licensure Compact

Section 40-36-510. (A) The purpose of this compact is to facilitate interstate practice of occupational therapy with the goal of improving public access to occupational therapy services. The practice of occupational therapy occurs in the state where the patient/client is located at the time of the patient/client encounter. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

(B) This compact is designed to achieve the following objectives:

- (1) increase public access to occupational therapy services by providing for the mutual recognition of other member state licenses;
- (2) enhance the ability of the states to protect the health and safety of the public;
- (3) encourage the cooperation of member states in regulating multistate occupational therapy practice;
- (4) support spouses of relocating military members;

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(5) enhance the exchange of licensure, investigative, and disciplinary information between member states;

(6) allow a remote state to hold a provider of services with a compact privilege in that state accountable to the practice standards of that state; and

(7) facilitate the use of telehealth technology in order to increase access to occupational therapy services.

Section 40-36-520. As used in this compact and except as otherwise provided:

(1) ‘Active duty military’ means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Chapter 1209 and Chapter 1211.

(2) ‘Adverse action’ means any administrative, civil, equitable, or criminal action permitted by the laws of a state that is imposed by a licensing board or other authority against an occupational therapist or occupational therapy assistant, including actions against the license or compact privilege of an individual, such as censure, revocation, suspension, probation, monitoring of the licensee, or restriction on the practice of the licensee.

(3) ‘Alternative program’ means a nondisciplinary monitoring process approved by an occupational therapy licensing board.

(4) ‘Compact privilege’ means the authorization, which is equivalent to a license, granted by a remote state to allow a licensee from another member state to practice as an occupational therapist or practice as an occupational therapy assistant in the remote state under its laws and rules. The practice of occupational therapy occurs in the member state where the patient/client is located at the time of the patient/client encounter.

(5) ‘Continuing competence/education’ means a requirement, as a condition of license renewal, to provide evidence of participation in, and completion of, educational and professional activities relevant to practice or area of work.

(6) ‘Current significant investigative information’ means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the occupational therapist or occupational therapy assistant to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

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(7) 'Data system' means a repository of information about licensees including, but not limited to, license status, investigative information, compact privileges, and adverse actions.

(8) 'Encumbered license' means a license in which an adverse action restricts the practice of occupational therapy by the licensee or said adverse action has been reported to the National Practitioners Data Bank (NPDB).

(9) 'Executive committee' means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(10) 'Home state' means the member state that is the licensee's primary state of residence.

(11) 'Impaired practitioner' means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.

(12) 'Investigative information' means information, records, and documents received or generated by an occupational therapy licensing board pursuant to an investigation.

(13) 'Jurisprudence requirement' means the assessment of an individual's knowledge of the laws and rules governing the practice of occupational therapy in a state.

(14) 'Licensee' means an individual who currently holds an authorization from the state to practice as an occupational therapist or as an occupational therapy assistant.

(15) 'Member state' means a state that has enacted the compact.

(16) 'Occupational therapist' means an individual who is licensed by a state to practice occupational therapy.

(17) 'Occupational therapy assistant' means an individual who is licensed by a state to assist in the practice of occupational therapy.

(18) 'Occupational therapy,' 'occupational therapy practice,' or the 'practice of occupational therapy' means the care and services provided by an occupational therapist or an occupational therapy assistant as set forth in the statutes and regulations of the member state.

(19) 'Occupational Therapy Compact Commission' or 'commission' means the national administrative body whose membership consists of all states that have enacted the compact.

(20) 'Occupational therapy licensing board' or 'licensing board' means the agency of a state that is authorized to license and regulate occupational therapists and occupational therapy assistants.

(21) 'Primary state of residence' means the state, also known as the home state, in which an occupational therapist or occupational

therapy assistant who is not active duty military declares a primary residence for legal purposes as verified by a driver's license, federal income tax return, lease, deed, mortgage, voter registration, or other verifying documentation as further defined by commission rules.

(22) 'Remote state' means a member state, other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

(23) 'Rule' means a regulation promulgated by the commission that has the force of law.

(24) 'State' means a state, commonwealth, district, or territory of the United States of America that regulates the practice of occupational therapy.

(25) 'Single-state license' means an occupational therapist license or occupational therapy assistant license issued by a member state that authorizes practice only within the issuing state and does not include a compact privilege in another member state.

(26) 'Telehealth' means the application of telecommunication technology to deliver occupational therapy services for:

- (a) assessment;
- (b) intervention;
- (c) consultation; or
- (d) any combination of (a) through (c).

Section 40-36-530. (A) To participate in the compact, a member state shall:

(1) license occupational therapists and occupational therapy assistants;

(2) participate fully in the commission's data system including, but not limited to, using the commission's unique identifier as defined in rules of the commission;

(3) have a mechanism in place for receiving and investigating complaints about licensees;

(4) notify the commission, in compliance with the terms of the compact and rules, of an adverse action or the availability of investigative information regarding a licensee;

(5) implement or use procedures for considering the criminal history records of applicants for an initial compact privilege, provided these procedures must include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records, and:

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(a) within a period established by the commission, require a criminal background check for a licensee seeking or applying for a compact privilege whose primary state of residence is that member state, by receiving the results of the Federal Bureau of Investigation criminal record search, and shall use the results in making licensure decisions; and

(b) ensure communication between a member state, the commission, and among member states regarding the verification of eligibility for licensure through the compact may not include information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544;

(6) comply with the rules of the commission;

(7) use only a recognized national examination as a requirement for licensure pursuant to the rules of the commission; and

(8) have continuing competence/education requirements as a condition for license renewal.

(B) A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

(C) A member state may charge a fee for granting a compact privilege.

(D) A member state shall provide for the state's delegate to attend all occupational therapy compact commission meetings.

(E) An individual not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals may not be recognized as granting the compact privilege in any other member state.

(F) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single-state license.

Section 40-36-540. (A) To exercise the compact privilege under the terms and provisions of the compact, the licensee shall:

(1) hold a license in the home state;

(2) have a valid United States Social Security Number or national practitioner identification number;

(3) have no encumbrance on any state license;

(4) be eligible for a compact privilege in any member state in accordance with subsections (D), (F), (G), and (H);

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(5) have paid all fines and completed all requirements resulting from any adverse action against any license or compact privilege, and two years have elapsed from the date of such completion;

(6) notify the commission that the licensee is seeking the compact privilege within a remote state;

(7) pay applicable fees, including a state fee, for the compact privilege;

(8) complete a criminal background check in accordance with Section 40-36-530(A)(5), provided the licensee must be responsible for the payment of a fee associated with the completion of a criminal background check;

(9) meet jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege; and

(10) report to the commission adverse action taken by a nonmember state within thirty days from the date the adverse action is taken.

(B) The compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection (A) to maintain the compact privilege in the remote state.

(C) A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

(D) Occupational therapy assistants practicing in a remote state must be supervised by an occupational therapist licensed or holding a compact privilege in that remote state.

(E) A licensee providing occupational therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period, impose fines, and take other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

(F) If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

(1) the home state license is no longer encumbered; and

(2) two years have elapsed from the date on which the home state license is no longer encumbered in accordance with item (1).

(G) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection (A) to obtain a compact privilege in a remote state.

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(H) If a licensee's compact privilege in a remote state is removed, the individual may lose the compact privilege in any other remote state until the following occur:

- (1) the specific period of time for which the compact privilege was removed has ended;
- (2) all fines have been paid and all conditions have been met;
- (3) two years have elapsed from the date of completing requirements for items (1) and (2); and
- (4) the compact privileges are reinstated by the commission, and the compact data system is updated to reflect reinstatement.

(I) If a licensee's compact privilege in a remote state is removed due to an erroneous charge, privileges must be restored through the compact data system.

(J) Once the requirements of subsection (H) have been met, the licensee must meet the requirements in subsection (A) to obtain a compact privilege in a remote state.

Section 40-36-550. (A) An occupational therapist or occupational therapy assistant may hold a home state license, which allows for compact privileges in member states, in only one member state at a time.

(B) If an occupational therapist or occupational therapy assistant changes primary state of residence by moving between two member states:

(1) the occupational therapist or occupational therapy assistant shall file an application for obtaining a new home state license by virtue of a compact privilege, pay all applicable fees, and notify the current and new home states in accordance with applicable rules adopted by the commission;

(2) upon receipt of an application for obtaining a new home state license by virtue of compact privilege, the new home state shall verify that the occupational therapist or occupational therapy assistant meets the pertinent criteria outlined in Section 40-36-540 by means of the data system, without need for primary source verification except for:

(a) an FBI fingerprint-based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the commission in accordance with Public Law 92-544;

(b) other criminal background check as required by the new home state; and

(c) submission of requisite jurisprudence requirements of the new home state;

(3) the former home state shall convert the former home state license into a compact privilege once the new home state has activated

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the new home state license in accordance with applicable rules adopted by the commission;

(4) notwithstanding any other provision of this compact, if the occupational therapist or occupational therapy assistant cannot meet the criteria in Section 40-36-540, the new home state shall apply its requirements for issuing a new single-state license; and

(5) the occupational therapist or the occupational therapy assistant shall pay all applicable fees to the new home state in order to be issued a new home state license.

(C) If an occupational therapist or occupational therapy assistant changes primary state of residence by moving from a member state to a nonmember state, or from a nonmember state to a member state, the state criteria applies for issuance of a single-state license in the new state.

(D) Nothing in this compact may be construed to interfere with the ability of a licensee to hold a single-state license in multiple states; however, for the purposes of this compact, a licensee shall have one home state license.

(E) Nothing in this compact may be construed to affect the requirements established by a member state for the issuance of a single-state license.

Section 40-36-560. Active duty military personnel, or their spouses, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual only shall change their home state through application for licensure in the new state or through the process described in Section 40-36-550.

Section 40-36-570. (A) A home state has exclusive power to impose adverse action against an occupational therapist license or occupational therapy assistant license issued by the home state.

(B) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law to:

(1) take adverse action against an occupational therapist's or occupational therapy assistant's compact privilege within that member state; and

(2) issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state must be enforced in

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the latter state by a court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

(C) For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

(D) The home state shall complete pending investigations of an occupational therapist or occupational therapy assistant who changes primary state of residence during the course of the investigations. The home state, where the investigations were initiated, also shall have the authority to take appropriate action and promptly shall report the conclusions of the investigations to the occupational therapy compact commission data system. The data system administrator shall promptly notify the new home state of adverse actions.

(E) A member state, if otherwise permitted by state law, may recover from the affected occupational therapist or occupational therapy assistant the costs of investigations and disposition of cases resulting from an adverse action taken against that occupational therapist or occupational therapy assistant.

(F) A member state may take adverse action based on the factual findings of the remote state if the member state follows its own procedures for taking the adverse action.

(G) In addition to the authority granted to a member state by its respective state occupational therapy laws and regulations or other applicable state law, a member state may participate with other member states in joint investigations of licensees. Member states shall share investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(H) If an adverse action is taken by the home state against an occupational therapist license or occupational therapy assistant license, the compact privilege of the occupational therapist or occupational therapy assistant in all other member states must be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against an occupational therapist license or occupational therapy assistant license shall include a statement that the compact privilege of the occupational therapist or

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occupational therapy assistant is deactivated in all member states during the pendency of the order.

(I) If a member state takes adverse action, it promptly shall notify the data system administrator, who promptly shall notify the home state of adverse actions by remote states.

(J) Nothing in this compact may be construed to override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

Section 40-36-580. (A) The compact member states hereby create and establish a joint public agency known as the 'Occupational Therapy Compact Commission'.

(1) The commission is an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission must be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact may be construed to be a waiver of sovereign immunity.

(B) With respect to commission membership, voting, and meetings:

(1) each member state has, and is limited to, one delegate selected by that member state's licensing board;

(2) the delegate must be either:

(a) a current member of the licensing board, who is an occupational therapist, occupational therapy assistant, or public member; or

(b) an administrator of the licensing board;

(3) a delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed;

(4) the member state board shall fill a vacancy occurring in the commission within ninety days;

(5) each delegate is entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission, provided a delegate shall vote in person or by such other means as provided in the bylaws, and the bylaws may provide for delegates' participation in meetings by telephone or other means of communication;

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(6) the commission shall meet at least once during each calendar year and additional meetings shall be held as set forth in the bylaws; and

(7) the commission shall establish by rule a term of office for delegates.

(C) The commission has powers and duties to:

(1) establish a code of ethics for the commission;

(2) establish the fiscal year of the commission;

(3) establish bylaws;

(4) maintain its financial records in accordance with the bylaws;

(5) meet and take such actions as are consistent with the provisions of this compact and the bylaws;

(6) promulgate uniform rules to facilitate and coordinate implementation and administration of this compact, which have the force and effect of law and are binding in all member states;

(7) bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of a state occupational therapy licensing board to sue or be sued under applicable law shall not be affected;

(8) purchase and maintain insurance and bonds;

(9) borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state;

(10) hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(11) accept appropriate donations and grants of money, equipment, supplies, materials and services, and receive, and use and dispose of them; provided that the commission shall avoid any appearance of impropriety, or conflict of interest;

(12) lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

(13) sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of real property, personal property, or a mixture of real and personal property;

(14) establish a budget and make expenditures;

(15) borrow money;

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(16) appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(17) provide and receive information from, and cooperate with, law enforcement agencies;

(18) establish and elect an executive committee; and

(19) perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of occupational therapy licensure and practice.

(D) With respect to the executive committee:

(1) the executive committee shall have the power to act on behalf of the commission according to the terms of this compact;

(2) the executive committee is composed of nine members, consisting of:

(a) seven voting members who are elected by the commission from the current membership of the commission;

(b) one ex officio, nonvoting member from a recognized national occupational therapy professional association; and

(c) one ex officio, nonvoting member from a recognized national occupational therapy certification organization;

(3) the ex officio members must be selected by their respective organizations;

(4) the commission may remove a member of the executive committee as provided in bylaws;

(5) the executive committee shall meet at least annually; and

(6) the executive committee has the duties and responsibilities to:

(a) recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the compact privilege;

(b) ensure compact administration services are appropriately provided, contractual or otherwise;

(c) prepare and recommend the budget;

(d) maintain financial records on behalf of the commission;

(e) monitor compact compliance of member states and provide compliance reports to the commission;

(f) establish additional committees as necessary; and

(g) perform other duties as provided in rules or bylaws.

(E) With respect to meetings of the commission:

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(1) all meetings of the commission are open to the public, and public notice of meetings must be given in the same manner as required under the rulemaking provisions in Section 40-36-600;

(2) the commission, executive committee, or other committees of the commission may convene in a closed, nonpublic meeting if the commission, executive committee, or other committees of the commission must discuss:

(a) noncompliance of a member state with its obligations under the compact;

(b) the employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(c) current, threatened, or reasonably anticipated litigation;

(d) negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(e) accusing a person of a crime or formally censuring a person;

(f) disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(g) disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) disclosure of investigative records compiled for law enforcement purposes;

(i) disclosure of information related to an investigative report prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(j) matters specifically exempted from disclosure by federal or member-state statute;

(3) if a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision; and

(4) the commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action must be identified in the minutes. All minutes and documents of a closed meeting must remain under seal, subject to

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release by a majority vote of the commission or order of a court of competent jurisdiction.

(F) With respect to financing of the commission, the commission:

(1) shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities;

(2) may accept appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services;

(3) may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved by the commission each year for which revenue is not provided by other sources, provided the aggregate annual assessment amount must be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states;

(4) may not incur obligations of any kind prior to securing the funds adequate to meet the same, nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state; and

(5) shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission are subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission must be audited yearly by a certified or licensed public accountant, and the report of the audit must be included in and become part of the annual report of the commission.

(G) With respect to qualified immunity, defense, and indemnification:

(1) the members, officers, executive director, employees and representatives of the commission are immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, provided that nothing in this paragraph may be construed to protect any such person from suit or liability for damage, loss, injury, or liability caused by the intentional or wilful or wanton misconduct of that person;

(2) the commission shall defend any member, officer, executive director, employee, or representative of the commission in a civil action

seeking to impose liability arising out of an actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that no provision of this article may be construed to prohibit that person from retaining his own counsel, and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or wilful or wanton misconduct;

(3) the commission shall indemnify and hold harmless a member, officer, executive director, employee, or representative of the commission for the amount of a settlement or judgment obtained against that person arising out of an actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or wilful or wanton misconduct of that person.

Section 40-36-590. (A) The Commission shall provide for the development, maintenance, and use of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

(B) A member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable, using a unique identifier, as required by the rules of the commission, including:

- (1) identifying information;
- (2) licensure data;
- (3) adverse actions against a license or compact privilege;
- (4) nonconfidential information related to alternative program participation;
- (5) any denial of application for licensure, and the basis for the denial;
- (6) other information that may facilitate the administration of this compact, as determined by the rules of the commission; and
- (7) current significant investigative information.

(C) Current significant investigative information and other investigative information pertaining to a licensee in a member state will only be available to other member states.

(D) The commission shall promptly notify all member states of an adverse action taken against a licensee or an individual applying for a

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license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

(E) A member state that contributes information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(F) Information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information must be removed from the data system.

Section 40-36-600. (A) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted pursuant to it. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(B) The commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the compact. Notwithstanding the foregoing, in the event the commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the commission is invalid and has no force and effect.

(C) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then the rule has no further force and effect in any member state.

(D) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(E) Prior to promulgation and adoption of a final rule by the commission, and at least thirty days in advance of the meeting at which the rule is to be considered and voted upon, the commission shall file a notice of proposed rulemaking on the respective websites of:

- (1) the commission or other publicly accessible platform; and
- (2) each member-state occupational therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(F) The notice of proposed rulemaking must include:

- (1) the proposed time, date, and location of the meeting in which the rule will be considered and voted upon;
- (2) the text of the proposed rule or amendment and the reason for the proposed rule;
- (3) a request for comments on the proposed rule from any interested person; and

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(4) the manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(G) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which must be made available to the public.

(H) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

- (1) at least twenty-five persons;
- (2) a state or federal governmental subdivision or agency; or
- (3) an association or organization having at least twenty-five members.

(I) If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

(1) A person wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing no less than five business days before the scheduled date of the hearing.

(2) A hearing must be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) A hearing must be recorded. A copy of the recording must be made available on request.

(4) Nothing in this section may be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

(J) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(K) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(L) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

(M) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice,

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opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section must be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

- (1) meet an imminent threat to public health, safety, or welfare;
- (2) prevent a loss of commission or member-state funds;
- (3) meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
- (4) protect public health and safety.

(N) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of a revision must be posted on the website of the commission. The revision is subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

Section 40-36-610. (A) Oversight

(1) The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effect the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

(2) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

(3) The commission is entitled to receive service of process in any such proceeding, and has standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission renders a judgment or order void as to the commission, this compact, or promulgated rules.

(B) Default, Technical Assistance, and Termination

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(1) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall provide:

(a) written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and any other action, if any, to be taken by the commission; and

(b) remedial training and specific technical assistance regarding the default.

(2) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(3) Termination of membership in the compact must be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate must be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

(4) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(5) The commission may not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(6) The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member must be awarded all costs of such litigation, including reasonable attorney's fees.

(C) Dispute resolution

(1) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

(2) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(D) Enforcement

(1) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

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(2) By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member must be awarded all costs of such litigation, including reasonable attorney's fees.

(3) The remedies in this section are not exclusive. The commission may pursue any other remedies available under federal or state law.

Section 40-36-620. (A) The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, must be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

(B) A state that joins the compact subsequent to the commission's initial adoption of the rules is subject to the rules as they exist on the date on which the compact becomes law in that state. A rule that has been previously adopted by the commission must have the full force and effect of law on the day the compact becomes law in that state.

(C) A member state may withdraw from this compact by enacting a statute repealing the same. The withdrawal of a member state may not:

(1) take effect until six months after enactment of the repealing statute; or

(2) affect the continuing requirement of the withdrawing state's occupational therapy licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(D) Nothing contained in this compact may be construed to invalidate or prevent any occupational therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

(E) This compact may be amended by the member states. No amendment to this compact may become effective and binding upon any member state until it is enacted into the laws of all member states.

Section 40-36-630. This compact must be liberally construed to effect the purposes of it. The provisions of this compact are severable

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and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of a member state or of the United States or the applicability of it to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability of it to any government, agency, person, or circumstance may not be affected as a consequence. If this compact is held contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

Section 40-36-640. (A) A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

(B) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

(C) Any laws in a member state in conflict with the compact are superseded to the extent of the conflict.

(D) Any lawful actions of the commission, including all rules and bylaws promulgated by the commission, are binding upon the member states.

(E) All agreements between the commission and the member states are binding in accordance with their terms.

(F) In the event a provision of the compact exceeds the constitutional limits imposed on the legislature of a member state, the provision is ineffective to the extent of the conflict with the constitutional provision in question in that member state.”

SECTION 2. Section 40-36-230 of the 1976 Code is amended to read:

“Section 40-36-230. (A)(1) An applicant for licensure as an occupational therapist shall file a written application on forms provided by the board showing to the satisfaction of the board that the applicant:

~~(1)~~(a) has graduated from an occupational therapy educational program approved by ACOTE or other AOTA endorsed accrediting body for occupational therapy or other educational program which the board considers to be substantially equivalent;

~~(2)~~(b) has completed successfully a minimum of six months of supervised field work experience at an educational institution approved by the educational institution where the applicant met the academic requirements;

~~(3)~~(c) has passed a board approved certification exam for the occupational therapist; and

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~~(4)(d)~~ is in good standing with NBCOT or other board approved certification program.

(2) In addition to other requirements established by law and for the purpose of determining an applicant's eligibility for an initial compact privilege, the department shall require a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of this criminal records check must be reported to the department. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. Costs of conducting a criminal history background check must be borne by the applicant. The department shall keep information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed as may be necessary to support the administrative action. The results of this criminal records check must not be shared outside the department.

(B)(1) An applicant for licensure as an occupational therapy assistant shall file a written application on a form approved by the board showing to the satisfaction of the board that the applicant:

~~(1)(a)~~ has graduated from an occupational therapy assistant educational program approved by ACOTE or other AOTA endorsed accrediting body for occupational therapy or other educational program which the board considers to be substantially equivalent;

~~(2)(b)~~ has completed successfully a minimum of two months of supervised field work experience at a recognized educational institution or a training program approved by the educational institution where the applicant met the academic requirements;

~~(3)(c)~~ has passed a board approved certification exam for the occupational therapy assistant; and

~~(4)(d)~~ is in good standing with NBCOT or other board approved certification program.

(2) In addition to other requirements established by law and for the purpose of determining an applicant's eligibility for a compact privilege, the department shall require a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of this criminal records check must be reported to the department. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. Costs of conducting a criminal history background check must be borne by the applicant. The department shall keep information received pursuant to this section

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confidential, except that information relied upon in denying licensure may be disclosed as may be necessary to support the administrative action. The results of this criminal records check must not be shared outside the department.”

SECTION 3. Section 40-36-250 of the 1976 Code is amended by adding an item at the end to read:

“() in addition to other requirements established by law and for the purpose of determining an applicant’s eligibility for a compact privilege, the department shall require a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of this criminal records check must be reported to the department. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. Costs of conducting a criminal history background check must be borne by the applicant. The department shall keep information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed as may be necessary to support the administrative action. The results of this criminal records check must not be shared outside the department.”

SECTION 4. Sections 40-36-5 through 40-36-310 of the 1976 Code are designated Article 1, entitled “General Provisions”.

SECTION 5. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Rep. HART 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 103; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey

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Clyburn	Cobb-Hunter	Collins
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	McCravy	McDaniel
McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. 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	Willis
Wooten		

Total--103

Those who voted in the negative are:

Hill	May	McCabe
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Total--3

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

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STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3599. If I had been present, I would have voted in favor of the Bill.

Rep. Bobby Cox

STATEMENT FOR JOURNAL

I was on excused leave due to a prior family commitment and missed the vote to give H. 3599 second reading. I support its passage and note constituents have expressed to me the positive impact enactment of this bill may have on military families.

Rep. Wm. Weston Newton

H. 3833--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3833 -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 3833 (COUNCIL\VR\3833C001.CC.VR22), which was adopted:

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

/ SECTION 4. Section 40-55-80(7) of the 1976 Code is amended to read:

[HJ]

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~~“(7) a copy of a criminal history record if the applicant has been convicted or plead guilty or nolo contendere to any criminal offense excluding traffic violations submission to a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. The department shall keep information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed as may be necessary to support the administrative action. The results of these criminal records checks must not be shared outside the department; and”~~ /

Renumber sections to conform.

Amend title to conform.

Rep. HART 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 103; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Calhoon	Carter
Clyburn	Cobb-Hunter	Collins
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Felder	Finlay
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan

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Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	McCravy
McDaniel	McGarry	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	B. 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
Yow		

Total--103

Those who voted in the negative are:

Hill	May	McCabe
------	-----	--------

Total--3

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3833. If I had been present, I would have voted in favor of the Bill.

Rep. Bobby Cox

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STATEMENT FOR JOURNAL

I was on excused leave due to a prior family commitment and missed the vote to give H.3833 second reading. I support its passage and note constituents have expressed to me the positive impact enactment of this bill may have on military families.

Rep. Wm. Weston Newton

H. 3958--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3958 -- Reps. McGarry, Yow, Dabney, B. Newton, Bennett, Bustos, Haddon, Erickson, McCabe, Bryant, Robinson, Huggins, Ott, Ballentine, Oremus, Anderson, T. Moore, Long, Pope, Felder, Ligon, B. Cox, Morgan, Lucas, McKnight, Simrill, J. L. Johnson, Matthews, Jones, Wheeler and Hyde: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-5-135 SO AS TO PROVIDE THAT A CORONER MAY ACT AS A FIRST RESPONDER UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 44-130-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO THE "SOUTH CAROLINA OVERDOSE PREVENTION ACT" SO AS TO INCLUDE A CORONER IN THE DEFINITION OF THE TERM "FIRST RESPONDER".

Rep. MATTHEWS explained the Bill.

Reps. WHITE, R. WILLIAMS, MCCRAVY, DANING, THAYER, WEST, BAMBERG, WHITMIRE, HEWITT, BAILEY, FINLAY and M. M. SMITH requested debate on the Bill.

H. 4946--DEBATE ADJOURNED

The following Bill was taken up:

H. 4946 -- Reps. Haddon, Ligon, Magnuson, Burns, Forrest, Jones and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2125 SO AS TO PLACE CERTAIN CONDITIONS ON THE MANNER IN WHICH ELIGIBILITY FOR CERTAIN SALES TAX EXEMPTIONS ARE DETERMINED.

Rep. HIOTT moved to adjourn debate on the Bill until Thursday, February 24, which was agreed to.

[HJ]

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H. 4906--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4906 -- Rep. Hixon: A BILL TO AMEND SECTION 50-11-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.

Rep. HIXON explained the Bill.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. HIXON continued speaking.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hixon
Hosey	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe

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McCravy	McDaniel	T. Moore
Morgan	D. C. Moss	V. S. Moss
B. 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--103

Those who voted in the negative are:

Total--0

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4906. If I had been present, I would have voted in favor of the Bill.

Rep. Craig Gagnon

STATEMENT FOR JOURNAL

I was on excused leave due to a prior family commitment and missed the vote to give H. 4906 second reading. I support its passage and appreciate the input from constituents on this legislation.

Rep. Wm. Weston Newton

H. 4907--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4907 -- Rep. Hixon: A BILL TO AMEND SECTION 50-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF FRESHWATER GAME FISH, SO AS TO INCLUDE ALL BLACK BASS AND TROUT HYBRIDS; TO AMEND SECTION 50-13-10, RELATING TO DEFINITIONS, SO

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AS TO DEFINE "LANDING NET (DIP NET)" AND TO ADD BARTRAM'S BASS, ALABAMA BASS, AND TROUT HYBRIDS; TO AMEND SECTION 50-13-80, RELATING TO TAKING FISH BY SNAGGING, SO AS TO PROHIBIT ALL TAKING OF FISH BY SNAGGING; TO AMEND SECTION 50-13-210, RELATING TO DAILY POSSESSION LIMITS, SO AS TO ADD BARTRAM'S BASS AND ALABAMA BASS; TO AMEND SECTION 50-13-310, RELATING TO GAME FISH CAUGHT WITH NETS AND OTHER NONGAME FISHING DEVICES, SO AS TO ALLOW FOR THE TAKING OF GAME FISH WITH A LANDING NET; TO AMEND SECTION 50-13-620, RELATING TO FLOATING MARKERS FOR FISHING DEVICES, SO AS TO REQUIRE THE INSPECTION OR REMOVAL OF A TROTLINE AFTER TWENTY-FOUR HOURS; TO AMEND SECTION 50-13-635, RELATING TO PERMISSIBLE FISHING DEVICES, SO AS TO ALLOW FOR THE USE OF A LANDING NET; TO AMEND SECTION 50-13-670, AS AMENDED, RELATING TO THE POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO THE USE OF A LANDING NET; TO AMEND SECTION 50-13-675, AS AMENDED, RELATING TO PERMITTED NONGAME FISHING DEVICES, SO AS TO INCLUDE LANDING NETS, AMONG OTHER THINGS; AND TO AMEND SECTION 50-13-1610, RELATING TO THE PROHIBITION OF THE SALE OR TRAFFIC OF CERTAIN GAME FISH, SO AS TO PROHIBIT CERTAIN ACTIVITIES RELATED TO THE TAKING OF FISH FROM THE FRESHWATERS OF THIS STATE.

Rep. HIXON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Brawley	Brittain	Bryant
Burns	Calhoon	Carter
Caskey	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning

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Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCravy
McDaniel	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--104

Those who voted in the negative are:

Total--0

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

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STATEMENT FOR JOURNAL

I was on excused leave due to a prior family commitment and missed the vote to give H. 4907 second reading. If present, I would have voted to give the bill second reading.

Rep. Wm. Weston Newton

H. 3347--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 3347 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G. M. Smith, Bennett, Gagnon, Hyde, West, Thayer, Ligon, M. M. Smith and Weeks: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF THE GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; AND PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, ALSO RELATING TO THE CAPITAL RESERVE FUND SO AS TO PROVIDE THAT THE CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR.

Rep. W. COX explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns

[HJ]

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Bustos	Calhoon	Carter
Caskey	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	T. Moore
Morgan	D. C. Moss	V. S. Moss
B. 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	Yow	

Total--110

Those who voted in the negative are:

Total--0

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

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STATEMENT FOR JOURNAL

I was on excused leave due to a prior family commitment and missed the vote to give H. 3347 second reading. If present, I would have voted to give the legislation second reading.

Rep. Wm. Weston Newton

SPEAKER IN CHAIR

RECURRENCE TO THE MORNING HOUR

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

S. 16--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Tuesday, February 22, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to S. 16:

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms, Young, Bennett, Scott, Stephens, Peeler and Sabb: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

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Very respectfully,
President

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

Whereupon, the Chair appointed Reps. ALLISON, FELDER and HENDERSON-MYERS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

REPORTS OF STANDING COMMITTEE

Rep. JORDAN, from the Committee on Judiciary, submitted a favorable report on:

S. 430 -- Senator Alexander: A BILL TO AMEND SECTION 43-25-10 OF THE 1976 CODE, RELATING TO THE COMMISSION FOR THE BLIND, TO PROVIDE THAT MEETINGS SHALL BE HELD AT LEAST ONCE A QUARTER.

Ordered for consideration tomorrow.

Rep. JORDAN, from the Committee on Judiciary, submitted a favorable report on:

H. 3788 -- Reps. G. M. Smith and Murphy: A BILL TO AMEND SECTION 1-7-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

Ordered for consideration tomorrow.

Rep. JORDAN, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 4919 -- Reps. Lucas, B. Newton, Jordan, Simrill, Pope, Hixon, W. Newton, Erickson, Allison, Bailey, Ballentine, Brittain, Bennett, Blackwell, Burns, Bustos, B. Cox, Crawford, Daning, Elliott, Felder, Forrest, Gagnon, Gatch, Hardee, Hewitt, Hiott, Huggins, J. E. Johnson, Ligon, Long, Magnuson, McCravy, McGarry, V. S. Moss, Murphy, Nutt, Sandifer, G. R. Smith, M. M. Smith, G. M. Smith, West, White,

[HJ]

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Willis, Yow, Taylor, Whitmire, W. Cox, Hyde, Dabney and May: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTIONS 7-15-220 AND 7-15-380, BOTH RELATING TO ABSENTEE BALLOT OATHS, BOTH SO AS TO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO DELETE CERTAIN REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED AND ADD A NEW REASON FOR PERSONS WHO ARE GOING TO BE ABSENT FROM THE COUNTY FOR THE DURATION OF THE EARLY VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-340, RELATING TO THE FORM OF AN ABSENTEE BALLOT APPLICATION, SO AS TO REQUIRE THE VOTER'S DRIVER'S LICENSE NUMBER OR OTHER PERSONAL OR UNIQUE IDENTIFYING NUMBER ASSOCIATED WITH A GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNEE TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SUNDAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE

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CLOSED; BY ADDING SECTION 7-15-325 SO AS TO PROVIDE THAT ANY VOTER WHO IS DESIGNATED AS HAVING PREVIOUSLY VOTED ABSENTEE MAY CAST A PROVISIONAL BALLOT ON ELECTION DAY TO BE COUNTED ONLY IF THE VOTER'S ABSENTEE BALLOT IS NOT RECEIVED; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 5013 -- Reps. Calhoon, McCabe, May, Forrest, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, 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, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, 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, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE EDWARD ("TED") LAWRENCE DAUGHTREY UPON THE OCCASION OF HIS RETIREMENT AS PRINCIPAL OF WHITE KNOLL HIGH SCHOOL, TO COMMEND HIM FOR OVER FORTY YEARS OF DEDICATED SERVICE IN EDUCATION, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5014 -- Reps. Elliott, 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, 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, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, 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, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO DECLARE TUESDAY, MARCH 1, 2022, AS "CLEMSON DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5015 -- Reps. Finlay, 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, 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, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, 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,

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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 and Yow: A HOUSE RESOLUTION TO CONGRATULATE ETHAN NORMAN ADAMS OF RICHLAND COUNTY FOR HIS REMARKABLE ACCOMPLISHMENTS IN THE BOY SCOUTS OF AMERICA AND TO SALUTE HIM UPON HIS ACHIEVING THE CELEBRATED RANK OF EAGLE SCOUT, THE HIGHEST AWARD IN SCOUTING.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5016 -- Reps. Sandifer and Lucas: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR STEVEN ROBERT "STEVE" DAVIDSON FOR MORE THAN A DECADE OF OUTSTANDING SERVICE TO THE HOUSE OF REPRESENTATIVES, TO BID HIM FAREWELL AS HE DEPARTS OUR HALLS, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, Steve Davidson earned a bachelor's degree in business administration magna cum laude from the Moore School of Business at the University of South Carolina with a double major, where he served on the Moore Student Leadership Council and the International Business Advisory Council. He was honored with Darla Moore's Emerging Leaders Award; and

Whereas, he earned a juris doctorate cum laude from the University of South Carolina School of Law, and he served there as the research editor for the South Carolina *Law Review*, and a member of Phi Delta Phi and on the Budget Allocations Committee. His excellent academic work earned him an endowed scholarship, the CALI Award for Property I, and a place on the Dean's List; and

Whereas, Mr. Davidson began his career for the General Assembly in 2005 as a page for the Senate Clerk's office and then as a page for Senator Thomas Alexander; and

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Whereas, from 2005 to 2008, Mr. Davidson was a legislative aide and research assistant for the Government Policy and Regulatory Affairs Team with Moore and Van Allen, PLLC, in Charlotte, North Carolina. His duties there included monitoring legislation on site in the South Carolina General Assembly, drafting correspondence regarding legislative proceedings relating to clients' legislative agendas, and meeting with elected officials and stakeholders across several states to develop grassroots efforts; and

Whereas, he began serving the South Carolina House of Representatives as a law clerk to the Judiciary Committee in 2010. In 2012, he began serving as staff counsel to the Judiciary Committee and chief counsel to the Ethics Committee. Beginning in 2015, he served as the assistant chief counsel to the Judiciary Committee and in 2016, as assistant chief counsel to the Labor, Commerce and Industry Committee; and

Whereas, from 2017 to 2021, Mr. Davidson served as the chief counsel to the Labor, Commerce and Industry Committee where he oversaw all legislation and provided legal counsel to members on all issues related to the regulation of public utilities, insurance, healthcare, employment, workers' compensation, energy, economic development, banking, and other business-related issues; and

Whereas, Mr. Davidson supervised an office comprised of assistant counsel, executive secretary, three law clerks, research assistants, externs, interns, and student pages. He served as counsel to the State Regulation of Public Utilities Review Committee, Joint Oversight on the South Carolina Public Service Authority (Santee Cooper), and Review and Oversight Commission on the South Carolina Ports Authority. He was a screening attorney for the JMSC and the PURC to screen candidates for judicial office and candidates for the Public Service Commission, Santee Cooper Board, and director of the ORS. He was an appointee to several policy committees, including the Energy and Environment Committee of the Southern Legislative Conference and on the Advisory Committee to the ORS EV Stakeholder Initiative; and

Whereas, most notably, he was recognized by Speaker Lucas for his crucial contributions to energy reform in the State following the costly failure of South Carolina Electric and Gas to complete the construction

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of two new reactor units at the V. C. Summer Nuclear Station in 2017;
and

Whereas, Mr. Davidson has published two articles in the *South Carolina Young Lawyer* magazine, given legislative updates at the 2013, 2014, and 2015 South Carolina Bar conventions, been a guest lecturer at the University of South Carolina School of Law legislative process class and the legislative extern program class, and has given continuing legal education (CLE) classes presented by the South Carolina House; and

Whereas, in 2021, Mr. Davidson joined the law firm of Nelson Mullins Riley & Scarborough, LLP as a partner based in the firm's Columbia office; and

Whereas, the South Carolina House of Representatives profoundly appreciates the exceptional service that Steve Davidson has provided to this chamber, and the members wish him deep fulfilment in the years ahead. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and honor Steven Robert "Steve" Davidson for more than a decade of outstanding service to the House of Representatives, to bid him farewell as he departs our halls, and to wish him continued success in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to Steven Robert "Steve" Davidson.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 5017 -- Rep. Calhoon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 122 PARK ROAD IN THE CITY OF LEXINGTON IN LEXINGTON COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT CHIEF

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WARRANT OFFICER 4 HAROLD EDWARD WILSON, UNITED STATES MARINE CORPS RESERVE.

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. 5018 -- Rep. D. C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT "THE NO PATIENT LEFT ALONE ACT" BY ADDING SECTIONS 44-7-395 AND 44-71-120 SO AS TO SAFEGUARD PATIENT AND RESIDENT VISITATION RIGHTS IN CERTAIN HEALTH CARE FACILITIES DURING DECLARED DISASTERS AND EMERGENCIES, TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IMPOSE A CIVIL PENALTY FOR ANY VIOLATION OF THOSE RIGHTS, AND FOR OTHER PURPOSES.

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

H. 5019 -- Rep. Howard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ESSENTIAL CAREGIVERS ACT OF 2022" BY ADDING SECTION 44-7-400 SO AS TO REQUIRE CERTAIN HEALTH CARE FACILITIES TO PERMIT ESSENTIAL CAREGIVERS ACCESS TO RESIDENTS DURING A PUBLIC HEALTH EMERGENCY.

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

H. 5020 -- Reps. Pendarvis, Hosey, S. Williams, Cobb-Hunter, Jordan, Brawley, Matthews, Henegan, Govan, Anderson, Robinson, Dillard, J. L. Johnson and Tedder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-13-155 SO AS TO DEFINE CERTAIN TERMS AND ESTABLISH PROCEDURES FOR THE ISSUANCE AND EXECUTION OF SEARCH WARRANTS.

Referred to Committee on Judiciary

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H. 5021 -- Reps. Pendarvis, Hosey, S. Williams, Gilliam, Weeks, McGinnis, Robinson, Cobb-Hunter, Oremus, Carter, Anderson, Hyde, Dillard, V. S. Moss, Pope and Stavrinakis: A BILL TO AMEND SECTION 4-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS OF A COUNTY GOVERNMENT, SO AS TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO ADOPT BY ORDINANCE THE REQUIREMENT THAT A PROPERTY OWNER SHALL KEEP A LOT OR OTHER PROPERTY CLEAN AND FREE OF RUBBISH, AND TO AUTHORIZE A COUNTY TO PLACE A LIEN ON REAL PROPERTY FOR ACTUAL COSTS UNDERTAKEN BY THE COUNTY TO ABATE A PUBLIC NUISANCE IN CERTAIN CIRCUMSTANCES.

Referred to Committee on Judiciary

H. 5022 -- Reps. Wheeler, Hyde, Bernstein and K. O. Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-51-180 SO AS TO PROVIDE THAT IF AN OWNER OF HEIRS' PROPERTY IS THE SUCCESSFUL BIDDER AT A DELINQUENT TAX SALE OF THAT PROPERTY IN WHICH HE OWNS AN INTEREST AS HEIR SUCH PURCHASE DOES NOT INURE TO THE BENEFIT OF OTHER COTENANTS.

Referred to Committee on Judiciary

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

ADJOURNMENT

At 11:41 a.m. the House, in accordance with the motion of Rep. MCDANIEL, adjourned in memory of Josie Glenn Gaston, to meet at 10:00 a.m. tomorrow.

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