

NO. 30

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, MARCH 3, 2022
(STATEWIDE SESSION)

Thursday, March 3, 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 Palm 100:5: “For the Lord is good; his steadfast love endures forever, and his faithfulness to all generations.”

Let us pray. Almighty God, help us to see in Your awesome might the power to love and heal us through all You have created. Bless and keep these Representatives and Staff safe as they work for the people of this State. Look in favor upon our defenders of freedom and first responders. Remember those people around the world who suffer. Be our guide as we go through life. We ask for Your blessings upon our World, Nation, President, State, Governor, Speaker, Staff, and all who labor in this House. Keep our men and women safe and all 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. LIGON moved that when the House adjourns, it adjourn in memory of Abby Stiles Brunson of Great Falls, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for Rep. Parks and her family in the death of her brother.

ROLL CALL

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

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein

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Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gilliam	Gilliard	Govan
Haddon	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	May
McCabe	McCray	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total Present--114

LEAVE OF ABSENCE

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

[HJ]

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LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. Bryan T. Green of Greenwood 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.”

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CO-SPONSOR ADDED

Bill Number: H. 3600
Date: ADD:
03/03/22 BALLENTINE

CO-SPONSOR ADDED

Bill Number: H. 3958
Date: ADD:
03/03/22 MURRAY

CO-SPONSORS ADDED

Bill Number: H. 4997
Date: ADD:
03/03/22 BRADLEY and ERICKSON

CO-SPONSOR REMOVED

Bill Number: H. 4220
Date: REMOVE:
03/03/22 MURRAY

LEAVE OF ABSENCE

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

H. 3679--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 3679 -- Reps. Taylor, Clyburn, Blackwell and Oremus: A JOINT RESOLUTION TO AUTHORIZE THE AIKEN COUNTY COUNCIL AND THE AIKEN CITY COUNCIL TO TRANSFER THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND UNITED STATES FLAG INSTALLATIONS TO THE AIKEN COUNTY VETERANS MEMORIAL PARK.

The yeas and nays were taken resulting as follows:

Yeas 86; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell

[HJ]

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Bradley	Brawley	Brittain
Bryant	Burns	Calhoon
Carter	Caskey	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hart
Hayes	Henegan	Herbkersman
Hewitt	Hiott	Hosey
Howard	Huggins	Hyde
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCrary	McGarry
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	Murray
W. Newton	Nutt	Ott
Pope	Rivers	Sandifer
G. M. Smith	M. M. Smith	Taylor
Tedder	Thigpen	Trantham
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Wooten	Yow	

Total--86

Those who voted in the negative are:

Total--0

So, the Joint Resolution 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. 3679. If I had been present, I would have voted in favor of the Joint Resolution.

Rep. Melissa Oremus

[HJ]

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STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3679. If I had been present, I would have voted in favor of the Joint Resolution.

Rep. Sylleste Davis

RECORD FOR VOTING

During today's session, (03 Mar 2022) I misread H. 3679 and therefore incorrectly voted for the resolution that authorized the transfer of a specific monument in Aiken County to another location within the county. I am completely against the removal or relocation of any monument for any reason other than public safety or the safety of the monument. So please let the records reflect that I intended to vote NO against H. 3679.

Rep. Victor M. "Vic" Dabney

**H. 3679--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. BLACKWELL, with unanimous consent, it was ordered that H. 3679 be read the third time tomorrow.

SENT TO THE SENATE

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

H. 4618 -- Reprs. Morgan and R. Williams: A BILL TO AMEND SECTION 56-5-2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING ANY RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES SUBJECT TO THIS SECTION, AND TO DEFINE THE TERM "BUS".

H. 4983 -- Rep. Sandifer: A BILL TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR

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COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.

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

[HJ]

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PLACED ON A DOG BY ITS OWNER TO MAINTAIN CONTROL OF THE DOG.

Rep. HIXON moved to adjourn debate on the Bill until Tuesday, March 8, which was agreed to.

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 Tuesday, March 8, which was agreed to.

H. 3600--AMENDED AND DEBATE ADJOURNED

The following Bill was taken up:

H. 3600 -- Reps. Ott, Taylor, Forrest, Gagnon, Caskey, McCabe, Atkinson, Rivers, S. Williams, Jefferson, R. Williams, Kirby, Yow, Gilliam, Hardee, Sandifer, W. Newton, B. Newton and Ballentine: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-2-140 SO AS TO DEFINE THE TERM "UTILITY TERRAIN VEHICLE" AND PROVIDE FOR THE REGISTRATION AND OPERATION OF THEM ON THE HIGHWAYS AND STREETS OF THE STATE.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3600 (COUNCIL\CM\3600C001.GT.CM22), which was adopted:

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

/ SECTION 1. Article 1, Chapter 2, Title 56 of the 1976 Code is amended by adding:

“Section 56-2-140. (A) For the purposes of this section:

(1) ‘Utility Terrain Vehicle’ (UTV) means a side-by-side, four-wheel drive, off-road vehicle intended to transport individuals,

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cargo, or both with a top speed over thirty-five miles per hour; a motor vehicle of at least four hundred and fifty cubic centimeters; eighty inches or less in overall width; designed to travel on four or more wheels, two or four tracks, or combinations of four or more tracks and wheels; using a steering wheel for steering control; with a nonstraddle seat; and with a Gross Vehicle Weight Rating of no more than four thousand pounds; and

(2) Utility Terrain Vehicle does not include golf carts or vehicles specially designed to carry a disabled person.

(B) To operate a UTV on a road, the UTV must comply with the requirements of this section. The UTV must be registered in the same fashion as passenger vehicles pursuant to this title, unless otherwise provided in this section. An individual or business owner of a UTV must obtain a license plate to be affixed to the rear of the vehicle in an unobscured manner and registration from the Department of Motor Vehicles upon presenting proof of ownership and liability insurance for the UTV and upon payment of a ten-dollar biennial fee.

(1) Two dollars of each biennial fee must be placed by the Comptroller General in a special restricted account to be used solely by the department for the costs associated with the production and issuance of new license plates pursuant to Section 56-3-1230.

(2) Four dollars of the biennial registration fee must be placed in the State Highway Fund as established by Section 57-11-20 to be distributed by the Comptroller General.

(3) Four dollars of the biennial registration fee must be placed in the account of the South Carolina Transportation Infrastructure Bank.

(4) UTV owners and registrants are exempt from the payment of property taxes to the county in which the UTV is registered. No county may charge any property taxes nor county fees of any kind on this type of vehicle. Registrants of UTVs are responsible for renewing their registration biennially directly with the Department of Motor Vehicles. Registered UTVs are subject to road-use fees for vehicles powered by electric, hydrogen, and fuels other than motor fuel pursuant to Section 56-3-645.

(C) A registered UTV may be operated on a road for which the posted speed limit is fifty-five miles an hour or less and within twenty miles of the registered address of the owner.

(D) A registered UTV may cross at an intersection where the road has a posted speed limit of more than fifty-five miles an hour if the intersection is within twenty miles of the registered address of the owner.

(E) A registered UTV may be operated along a road on an island not accessible by a bridge designed for use by automobiles.

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(F) A person operating a registered UTV must be at least sixteen years of age and hold a valid driver's license. The operator of a registered UTV being operated on a highway or street must have in his possession:

- (1) the license plate and registration certificate issued by the department;
- (2) proof of liability insurance for the UTV; and
- (3) his driver's license.

(G) If the registered UTV operator is sixteen years old and holds a conditional driver's license pursuant to Section 56-1-175(B), the registered UTV may only be operated during daylight hours as defined in Section 56-1-10.

(H) Registered UTVs must not be operated by anyone who holds a beginner's permit pursuant to Section 56-1-50 or moped operator's license pursuant to Section 56-1-1720. This provision includes the operation of a UTV by a beginner's permit holder even if there is a licensed driver with the beginner's permit holder in the UTV pursuant to Section 56-1-50(B)(1). UTVs must not be operated by anyone who holds a temporary alcohol license, route restricted driver's license, provisional driver's license, or solely a motorcycle license.

(I) No child under eight years old may be a passenger in a registered UTV while operated on a road.

(J) Drivers and passengers in registered UTVs are subject to the provisions of Section 56-5-3660 and 56-5-3670.

(K) A registered UTV must be equipped with:

- (1) a Type 2 seat belt assembly conforming to 49 C.F.R. 571.209 installed at each designated seating position; and
- (2) operable headlights, brake lights, taillights, and turn signals.

(L) The driver and passengers of a registered UTV, when it is being operated on a road of this State, must wear a fastened safety belt that complies with the provisions contained in subsection (K). A driver who violates this subsection must be fined pursuant to Section 56-5-6540.

(M) The Department of Motor Vehicles must not register or renew the registration of a UTV unless a certificate of title has been issued by the department to the owner or an application has been delivered by the owner to the department. The fee for a certificate of title as contained in Section 56-19-420. The department may require a bill of sale, invoice, or other sales document to properly title the vehicle under this subsection. Certificates of titles issued under this subsection must carry the brand 'off road use only' to designate that a vehicle's Manufacturer

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Certificate of Origin or equivalent document of origin designating a vehicle is not manufactured for use on public roads.

(N) UTVs are exempt from the provisions set forth in Section 56-3-627. UTVs are subject to sales tax pursuant to Title 12, Chapter 36.”

SECTION 2. Section 56-1-10(37) of the 1976 Code, as added by Act 27 of 2021, is amended to read:

“ (37) ‘Off Road Use Only’ means a brand added to a vehicle’s title by the department to designate a vehicle’s Manufacturer Certificate of Origin or equivalent document of origin designating a vehicle is not manufactured for use on public roads. The department shall not register and license the vehicle pursuant to Section 56-3-350 unless otherwise specified in this title. Vehicles brought into this State from a foreign jurisdiction without a title that clearly says ‘Off Road Use Only’, or its equivalent, which do not meet Federal Motor Vehicle Safety Standards may be subject to this brand at the department’s discretion.”

SECTION 3. Section 38-77-30(5.5)(a) of the 1976 Code is amended to read:

“ (5.5)(a) ‘Individual private passenger automobile’ means the following types of motor vehicles owned by or leased under a long-term contract by an individual or individuals:

(i) motor vehicles of the private passenger type or station wagon type;

(ii) panel trucks, delivery sedans, vehicles with a pickup body, vans, or similar motor vehicles designed for use on streets and highways and so licensed;

(iii) motor homes, so long as the motor vehicles described in (ii) and (iii) are not used in the occupation, profession, or business of the insured other than farming and ranching; ~~and~~

(iv) motorcycles; and

(v) utility terrain vehicles (UTV), as defined in Section 56-2-240, but only if registered for road use pursuant to that section.”

SECTION 4. This act takes effect one year after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

Rep. OTT spoke in favor of the amendment.

The amendment was then adopted.

[HJ]

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Rep. LOWE proposed the following Amendment No. 2 to H. 3600 (COUNCIL\AHB\3600C002.BH.AHB22):

Amend the bill, as and if amended, SECTION 1, Section 56-2-140, by adding the following appropriately lettered subsections at the end to read:

/ ()No UTV dealer shall be held liable for damages for personal injury, death, or property damage resulting from UTV use on public roads, with exception to a product's liability claim in which liability is confined to the manufacturer.

()No company that manufacturers UTVs shall be held liable for damages for personal injury, death, or property damage resulting from UTV use on public roads unless it is determined that a defect existed at the time the product left the company's possession or control that caused the damages. /

Renumber sections to conform.

Amend title to conform.

Rep. LOWE explained the amendment.

Rep. GOVAN spoke upon the amendment.

Rep. HIOTT moved to adjourn debate on the Bill until Tuesday, March 8, which was agreed to.

SENT TO THE SENATE

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

H. 3888 -- Reps. King, Bryant, Cobb-Hunter, Brawley, Gilliard, Murray, Henderson-Myers, R. Williams and Anderson: A JOINT RESOLUTION TO CREATE A STUDY COMMITTEE TO EXAMINE THE STATE OF MENTAL HEALTH OF SOUTH CAROLINA RESIDENTS, TO PROVIDE FOR THE STUDY COMMITTEE'S MEMBERSHIP, AND TO REQUIRE THE STUDY COMMITTEE TO MAKE CERTAIN FINDINGS AND PREPARE A REPORT FOR THE GENERAL ASSEMBLY BEFORE JANUARY 1, 2023, AFTER WHICH THE STUDY COMMITTEE IS DISSOLVED.

H. 4082 -- Reps. Felder, Brawley, Robinson, Henegan and Oremus: A BILL TO AMEND SECTION 40-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING

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THE STATE BOARD OF COSMETOLOGY, SO AS TO DEFINE THE TERM "HAIR DESIGNER"; TO AMEND SECTION 40-13-230, RELATING TO LICENSES ISSUED BY THE BOARD, SO AS TO PROVIDE FOR THE LICENSURE OF HAIR DESIGNERS; AND TO AMEND SECTION 40-13-5, RELATING TO OCCUPATIONS REGULATED BY THE PRACTICE ACT FOR COSMETOLOGISTS AND COSMETOLOGY, SECTION 40-13-110, RELATING TO DISCIPLINARY ACTIONS, SECTION 40-13-240, RELATING TO EXAMINATIONS AND FEES, AND SECTION 40-13-270, ALL RELATING TO RECIPROCITY WITH OTHER LICENSING JURISDICTIONS, ALL SO AS TO MAKE CONFORMING CHANGES.

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, Willis, Yow, Taylor, Whitmire, W. Cox, Hyde, Dabney, May, Jones and Wooten: 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

[HJ]

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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 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 ENROLLED FOR RATIFICATION

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

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

[HJ]

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RECURRENCE TO THE MORNING HOUR

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

CONFIRMATION OF APPOINTMENTS

The following was received:

The Legislative Committee on House Ethics
Columbia, S.C., March 3, 2022

Statewide Appointments

The Committee respectfully reports that they have duly and carefully considered the same and recommends that the same do pass.

Commission Members, State Ethics Commission

STATEWIDE APPOINTMENTS

Mary Hunter B. Tomlinson
State Ethics Commission
Term Commencing: 04/01/2022
Term Expiring: 04/01/2027
Seat: Governor's Party
Vice: Brian M. Barnwell

Matthew N. Tyler
State Ethics Commission
Term Commencing: 04/01/2022
Term Expiring: 04/01/2027
Seat: House Majority Party
Vice: Donald H. Jackson

Jay Jordan
Chairman of the House Ethics Committee

Rep. JORDAN submitted a favorable report on the Ethics Commission appointments.

The yeas and nays were taken resulting as follows:
Yeas 96; Nays 0

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Representatives voting for Mary Hunter B. Tomlinson:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gilliam	Gilliard	Govan
Haddon	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
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	Nutt	Oremus
Ott	Rivers	Robinson
Sandifer	Simrill	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Thayer	Thigpen	Trantham
West	Wetmore	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--96

Representatives voting against Mary Hunter B. Tomlinson:

Total--0

THURSDAY, MARCH 3, 2022

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

The yeas and nays were taken resulting as follows:

Yeas 89; Nays 0

Representatives voting for Matthew N. Tyler:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bernstein
Blackwell	Brawley	Bryant
Burns	Bustos	Calhoon
Carter	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Govan	Haddon
Henderson-Myers	Henegan	Herbkersman
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
J. L. Johnson	K. O. Johnson	Jones
King	Kirby	Ligon
Lowe	Lucas	Matthews
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	Nutt	Oremus
Ott	Rivers	Robinson
Sandifer	Simrill	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Thayer	Thigpen	Trantham
West	Wetmore	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	

Total--89

THURSDAY, MARCH 3, 2022

Representatives voting against Matthew N. Tyler:

Total--0

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

STATEMENT FOR JOURNAL

March 3, 2022
Charles Reid
Clerk of the House of Representatives

Dear Mr. Reid,

I would like it noted that I am notifying you in accordance with Section 8-13-700(B) of the SC Code, I hereby recuse myself from voting on the House Majority Party Appointment to the State Ethics Commission, Matthew N. Tyler, because of a potential conflict of interest due to an economic interest of myself, or an individual or business with which I am associated may be affected. Please note this in the House Journal for March 3, 2022.

Sincerely,
Rep. Wallace H. "Jay" Jordan, Jr.
District 63

STATEMENT FOR JOURNAL

March 3, 2022
Charles Reid
Clerk of the House of Representatives

Dear Mr. Reid,

I am notifying you in accordance with Sections 8-13-700(B) and 8-13-745(A) of the SC Code, I hereby recuse myself from voting on the following appointments to the State Ethics Commission:

1. Matthew N. Tyler, House Majority Party Appointment;
2. Mary Hunter B. Tomlinson, Governor's Political Party Appointment

because of a potential conflict of interest due to an economic interest of myself, or an individual or business with which I am associated may be affected as we represented a client or clients for a fee before the State Ethics Commission within the twelve preceding months. Please note this in the House Journal for March 3, 2022.

[HJ]

THURSDAY, MARCH 3, 2022

Sincerely,
Rep. Bruce W. Bannister
District 24

STATEMENT FOR JOURNAL

March 3, 2022
Charles Reid
Clerk of the House of Representatives

Dear Mr. Reid,

I am notifying you in accordance with Sections 8-13-700(B) and 8-13-745(A) of the SC Code, I hereby recuse myself from voting on the following appointments to the State Ethics Commission:

1. Matthew N. Tyler, House Majority Party Appointment;
2. Mary Hunter B. Tomlinson, Governor's Political Party Appointment

because of a potential conflict of interest due to an economic interest of myself, or an individual or business with which I am associated may be affected as we represented a client or clients for a fee before the State Ethics Commission within the twelve preceding months. Please note this in the House Journal for March 3, 2022.

Sincerely,
Rep. G. Murrell Smith, Jr.
District 67

STATEMENT FOR JOURNAL

March 3, 2022
Charles Reid
Clerk of the House of Representatives

Dear Mr. Reid,

I am notifying you in accordance with Section 8-13-700(B) of the SC Code, I hereby recuse myself from voting on the following appointments to the State Ethics Commission:

1. Matthew N. Tyler, House Majority Party Appointment;
2. Mary Hunter B. Tomlinson, Governor's Political Party Appointment

THURSDAY, MARCH 3, 2022

because of a potential conflict of interest due to an economic interest of myself, or an individual or business with which I am associated. Please note this in the House Journal for March 3, 2022.

Sincerely,
Rep. Robert J. "R.J." May, III
District 88

STATEMENT FOR JOURNAL

March 3, 2022
Charles Reid
Clerk of the House of Representatives

Dear Mr. Reid,

I am notifying you in accordance with Sections 8-13-700(B) and 8-13-745(A) of the SC Code, I hereby recuse myself from voting on the following appointments to the State Ethics Commission:

1. Matthew N. Tyler, House Majority Party Appointment;
2. Mary Hunter B. Tomlinson, Governor's Political Party Appointment

because of a potential conflict of interest due to an economic interest of myself, or an individual or business with which I am associated may be affected as we may represent a client before the State Ethics Commission. Please note this in the House Journal for March 3, 2022.

Sincerely,
Rep. Seth Rose
District 72

STATEMENT FOR JOURNAL

March 3, 2022
Charles Reid
Clerk of the House of Representatives

Dear Mr. Reid,

I am notifying you in accordance with Section 8-13-700(B) of the SC Code, I hereby recuse myself from voting on the following appointments to the State Ethics Commission:

1. Matthew N. Tyler, House Majority Party Appointment;
2. Mary Hunter B. Tomlinson, Governor's Political Party Appointment

[HJ]

THURSDAY, MARCH 3, 2022

because of a potential conflict of interest due to an economic interest of myself, or an individual or business with which I am associated. Please note this in the House Journal for March 3, 2022.

Sincerely,
Rep. J. Todd Rutherford
District 74

STATEMENT FOR JOURNAL

March 3, 2022
Charles Reid
Clerk of the House of Representatives

Dear Mr. Reid,

I am notifying you in accordance with Sections 8-13-700(B) and 8-13-745(A) of the SC Code, I hereby recuse myself from voting on the following appointments to the State Ethics Commission:

1. Matthew N. Tyler, House Majority Party Appointment;
2. Mary Hunter B. Tomlinson, Governor's Political Party Appointment

because of a potential conflict of interest due to an economic interest of myself, or an individual or business with which I am associated may be affected as we may represent a client before the State Ethics Commission. Please note this in the House Journal for March 3, 2022.

Sincerely,
Rep. Thomas E. "Tommy" Pope
District 47

REPORT OF STANDING COMMITTEE

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 4866 -- Reps. Chumley, Burns, Magnuson, Long, Kirby, Henegan, Rivers, W. Newton, Cobb-Hunter, Govan, Pendarvis, Forrest, Jones, Trantham, Oremus, Ligon, Haddon, Allison, Nutt, B. Cox, S. Williams, Atkinson, M. M. Smith, McGinnis, Bryant, Gilliam, Henderson-Myers, Ballentine, Herbkersman, Hill, Hiott, Hixon, D. C. Moss, Sandifer, Thayer, Wooten and Garvin: A JOINT RESOLUTION TO PROVIDE A THREE-YEAR PILOT PROGRAM ESTABLISHING RURAL

THURSDAY, MARCH 3, 2022

PUBLIC SCHOOL-BASED COMMUNITY CANNERIES WHERE MEMBERS OF THE GENERAL PUBLIC MAY BRING LOCALLY-GROWN PRODUCE TO BE CANNED FOR THEIR PERSONAL USE, TO PROVIDE RELATED RESPONSIBILITIES OF THE STATE BOARD OF EDUCATION AND CLEMSON EXTENSION AGENCY.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 5073 -- Reps. Ligon and McDaniel: A HOUSE RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 17, 2022, FROM 11:30 A.M. TO 1:00 P.M. HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE HOUSE OF REPRESENTATIVES IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 5074 -- Reps. Haddon, Allison, Burns and Hiott: A JOINT RESOLUTION TO CREATE THE "CHILD FOOD AND NUTRITION SERVICES STUDY COMMITTEE" TO DEVELOP RECOMMENDATIONS FOR TRANSFERRING ADMINISTRATION OF CERTAIN FEDERAL CHILD FOOD AND NUTRITION PROGRAMS IN THIS STATE TO THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE DISSOLUTION OF THE STUDY COMMITTEE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

THURSDAY, MARCH 3, 2022

H. 5075 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

Referred to Committee on Ways and Means

H. 5076 -- Rep. Hixon: A BILL TO AMEND SECTION 12-39-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RECORD OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; TO AMEND SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; TO REPEAL SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND TO REPEAL SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

Referred to Committee on Judiciary

H. 5077 -- Reps. Haddon, Burns, Chumley, Gilliam, Ligon and Hixon: A JOINT RESOLUTION TO ALLOW FOR THE OPERATION AND MAINTENANCE OF A MOTOR VEHICLE ON A PUBLIC HIGHWAY IN THIS STATE WITH MOTOR FUEL INCLUDING

THURSDAY, MARCH 3, 2022

THOSE FUELS THAT CONTAIN DYE OR HAVE A HIGH SULFUR CONTENT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 5070 -- Reps. Lucas, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, 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 CONCURRENT RESOLUTION TO HONOR STEPHEN T. "STEVE" DRAFFIN OF THE SOUTH CAROLINA LEGISLATIVE COUNCIL ON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS FIFTY YEARS OF DISTINGUISHED PUBLIC SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO RECOGNIZE A CAREER WELL SPENT.

H. 5071 -- Reps. J. Moore, Gilliard, R. Williams, Pendarvis, Tedder, Wetmore, Stavrinakis, Cogswell, Matthews, Bennett, Bustos, Hewitt, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard,

[HJ]

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Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, 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, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Taylor, Thayer, Thigpen, Trantham, Weeks, West, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO REMEMBER THE LIFE OF MRS. ELIZABETH ALSTON FOR HER SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF AFRICAN AMERICANS IN THIS GREAT STATE.

H. 5062 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, 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 CONCURRENT RESOLUTION TO CONGRATULATE THE THIRTY-NINE SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2022 ALL-STATE ACADEMIC TEAM BY THE PHI THETA KAPPA HONOR SOCIETY IN RECOGNITION OF THEIR SCHOLARLY ACCOMPLISHMENTS AND SERVICE TO THEIR COMMUNITIES.

THURSDAY, MARCH 3, 2022

ADJOURNMENT

At 11:33 a.m. the House, in accordance with the motion of Rep. LIGON, adjourned in memory of Abby Stiles Brunson of Great Falls, to meet at 10:00 a.m. tomorrow.
