

NO. 39

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

WEDNESDAY, MARCH 30, 2022
(STATEWIDE SESSION)

Wednesday, March 30, 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 Psalm 18:31: “For who is God except the Lord? And who is a rock besides our God? The God who girded me with strength and made my way safe.”

Let us pray. Since we have such great hope in Your promises, O God, we lift these people and all of our prayers to You in confidence and faith. Keep these women and men in this Assembly safe and in Your loving care. Protect our defenders of freedom and first responders. Let Your light shine upon our World, Nation, President, State, Governor, Speaker, Staff, and all who give of their time and energy. Bless and keep our men and women who suffer and sacrifice. Heal those who suffer from hidden wounds. 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. HERBKERSMAN moved that when the House adjourns, it adjourn in memory of Thomas Hatfield, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for those serving in the military and their families.

RECORD FOR VOTING

On March 29, 2022, I mistakenly voted to disapprove H. 3205. I thought I was voting on an amendment to H. 3205 which I did not want. I would like to have this added to the record on this matter.

Rep. Joe Bustos

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REPORTS OF STANDING COMMITTEES

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

H. 3010 -- Reps. Weeks, Robinson, Thigpen and Henegan: A BILL TO AMEND SECTION 24-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPUTATION OF TIME SERVED BY A PRISONER UNDER A COURT-IMPOSED SENTENCE, SO AS TO PROVIDE A PRISONER MAY BE GIVEN FULL CREDIT AGAINST A SENTENCE FOR TIME SPENT UNDER GLOBAL POSITIONING SYSTEM (GPS) MONITORING.

Ordered for consideration tomorrow.

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

H. 5000 -- Reps. Matthews, Caskey, Wooten and May: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.

Ordered for consideration tomorrow.

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

H. 5113 -- Rep. W. Cox: A BILL TO AMEND SECTION 62-5-101, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO ARTICLE 5, TITLE 62, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; TO AMEND SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; TO AMEND SECTION 62-5-106, RELATING TO THE DUTIES OF GUARDIANS AD LITEM, SO AS TO PROVIDE THAT THE GUARDIAN AD LITEM MUST SUBMIT HIS REPORT TO THE COURT AT LEAST SEVENTY-TWO HOURS PRIOR TO THE HEARING; TO AMEND SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; TO AMEND SECTIONS

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62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; TO AMEND SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; TO AMEND SECTION 62-5-401, RELATING TO THE VENUE FOR CERTAIN PROCEEDINGS, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; TO AMEND SECTION 62-5-403A, RELATING TO THE SERVICE OF SUMMONS AND PETITION, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; TO AMEND SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIAN AD LITEM, SO AS TO ALLOW THE COURT ALSO TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; TO AMEND SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; TO AMEND SECTION 62-5-422, RELATING TO THE POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; TO AMEND SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; TO AMEND SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO APPOINTMENT, SO AS TO REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; TO

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AMEND SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE "GUARDIAN AD LITEM"; TO AMEND SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIPS FROM ANOTHER JURISDICTION; AND TO AMEND SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

Ordered for consideration tomorrow.

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

H. 4568 -- Reps. Oremus, McCravy, Allison, Bailey, Bennett, Bryant, Burns, Chumley, B. Cox, Dabney, Erickson, Gagnon, Gilliam, Haddon, Hayes, Hiott, Hixon, Huggins, Hyde, J. E. Johnson, Jordan, Long, Lucas, Magnuson, Martin, May, McCabe, McGarry, T. Moore, Morgan, D. C. Moss, V. S. Moss, Nutt, G. R. Smith, M. M. Smith, Stringer, Thayer, Trantham, West, Willis, Wooten, Forrest, Taylor and Caskey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-90 SO AS TO REQUIRE THE DISCLOSURE OF MEDICAL INFORMATION TO PERSONS WHO MAY RECEIVE A CHEMICALLY INDUCED ABORTION, WITH EXCEPTIONS.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 5184 -- Reps. Ballentine, Alexander, Allison, Anderson, Atkinson, Bailey, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder,

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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 CONGRATULATE LURA JAYNE PARKER ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 5181 -- Reps. Jefferson, 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, 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 LEROY JOHNSON OF WILLIAMSBURG COUNTY ON THE OCCASION OF HIS

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NINETIETH BIRTHDAY AND TO WISH HIM MUCH HAPPINESS
IN THE DAYS AHEAD.

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

CONCURRENT RESOLUTION

The following was introduced:

H. 5185 -- 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 WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR MICHAEL D. BANKS TO THE PALMETTO STATE ON THE OCCASION OF THE 97TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

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

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INTRODUCTION OF BILLS

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

H. 5182 -- Rep. Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

Referred to Committee on Judiciary

H. 5183 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA TRANSPARENCY AND INTEGRITY IN EDUCATION ACT" BY ADDING ARTICLE 5 TO CHAPTER 29, TITLE 59 SO AS TO EXPRESS RELATED INTENTIONS OF THE GENERAL ASSEMBLY, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE CERTAIN CONCEPTS ARE PROHIBITED FROM BEING INCLUDED IN PUBLIC SCHOOL INSTRUCTION AND PROFESSIONAL DEVELOPMENT, TO PROVIDE MEANS FOR ADDRESSING VIOLATIONS, AND TO PROVIDE PROCEDURES FOR PUBLIC REVIEW OF PUBLIC SCHOOL CURRICULUM AND INSTRUCTIONAL MATERIALS; AND TO AMEND SECTION 59-28-180, RELATING TO PARENTAL EXPECTATIONS IN THE PARENTAL INVOLVEMENT IN THEIR CHILDREN'S EDUCATION ACT, SO AS TO PROVIDE PARENTS ARE EXPECTED TO BE THE PRIMARY SOURCE OF THE EDUCATION OF THEIR CHILDREN REGARDING MORALS, ETHICS, AND CIVIC RESPONSIBILITY, AND TO PROVIDE A PARENTAL PLEDGE OF EXPECTATIONS MUST BE PROVIDED

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TO PARENTS AS PART OF THE REGISTRATION AND
ENROLLMENT PROCESS.

Without Reference

STATEMENT FOR THE JOURNAL

Mr. Speaker,

An education committee bill was read across the desk entitled Academic “Transparency and Integrity”. There was no input from those voting ‘No’. While the Bill was discussed in committee, without a number, discussion was in the form of questions, but little regard to clarify sections of which questions were asked. Amendments were ignored and questions were disregarded; as well as, terms were not clearly defined. Thus, I request that the record reflect my objection to my name being reflected as a sponsor of this Bill.

Rep. Annie McDaniel

Member of the House Education and Public Works Committee

POINT OF ORDER

Rep. GOVAN raised the point of order that H. 5183 was out of order because a public hearing had not been held upon the legislation. Rep. GOVAN cited House Rule 4.4 in support of the Point of Order.

SPEAKER *PRO TEMPORE* POPE stated that H. 5183 was a committee bill that was adopted by a two-thirds vote of the Education & Public Works Committee. He stated that nothing in Rule 4.4 required a public hearing upon the legislation. He overruled the Point of Order.

POINT OF ORDER

Rep. GOVAN raised the point of order that H. 5183 was improperly introduced to the Body. He stated it was improper for a Bill to not be referred to a committee.

SPEAKER *PRO TEMPORE* POPE stated that H. 5183 was a committee bill that was adopted by a two-thirds vote of the Education & Public Works Committee. He stated that the Bill complied with the rules of the House and that it was properly presented to the House and placed upon the Calendar. He overruled the Point of Order.

ROLL CALL

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

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine

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Bannister	Bennett	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	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
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	Yow	

Total Present--116

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STATEMENT OF ATTENDANCE

Reps. WHITE 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, March 29.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. BERNSTEIN 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. BRAWLEY a temporary leave of absence.

DOCTOR OF THE DAY

Announcement was made that Dr. Lori Carnsew of Easley 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. 3252
Date: ADD:
03/30/22 BLACKWELL

CO-SPONSOR ADDED

Bill Number: H. 3938
Date: ADD:
03/30/22 R. WILLIAMS

CO-SPONSOR ADDED

Bill Number: H. 4772
Date: ADD:
03/30/22 DAVIS

CO-SPONSOR ADDED

Bill Number: H. 4848
Date: ADD:
03/30/22 THAYER

CO-SPONSORS ADDED

Bill Number: H. 4978
Date: ADD:
03/30/22 GAGNON, HILL, M. M. SMITH, WHITMIRE,
SANDIFER, BRYANT, D. C. MOSS, HIOTT,
ELLIOTT, V. S. MOSS, OREMUS and BENNETT

CO-SPONSOR ADDED

Bill Number: H. 5000
Date: ADD:
03/30/22 MAY

CO-SPONSOR ADDED

Bill Number: H. 5134
Date: ADD:
03/30/22 BRYANT

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CO-SPONSOR ADDED

Bill Number: H. 5137
Date: ADD:
03/30/22 CARTER

CO-SPONSOR ADDED

Bill Number: H. 5143
Date: ADD:
03/30/22 CARTER

CO-SPONSOR ADDED

Bill Number: H. 5144
Date: ADD:
03/30/22 WHEELER

CO-SPONSOR REMOVED

Bill Number: H. 3682
Date: REMOVE:
03/30/22 TAYLOR

CO-SPONSOR REMOVED

Bill Number: H. 4046
Date: REMOVE:
03/30/22 J. E. JOHNSON

SPEAKER *PRO TEMPORE* IN CHAIR

R. 128, S. 912--GOVERNOR'S VETO OVERRIDDEN

The Veto on the following Act was taken up:

(R. 128, S. 912) -- Senator Stephens: AN ACT 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. JEFFERSON explained the Veto.

[HJ]

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The question was put, shall the Act become a part of the law, the Veto of his Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 68; Nays 29

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bennett	Blackwell
Bustos	Carter	Cobb-Hunter
Cogswell	Collins	W. Cox
Davis	Dillard	Erickson
Finlay	Gagnon	Garvin
Gatch	Gilliard	Govan
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hosey	Howard
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	King	Kirby
Ligon	Lucas	Matthews
McDaniel	McGarry	McKnight
Murray	B. Newton	W. Newton
Ott	Parks	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	M. M. Smith	Stavrinakis
Tedder	Thayer	Thigpen
Weeks	West	Wetmore
Wheeler	Whitmire	R. Williams
S. Williams	Willis	

Total--68

Those who voted in the negative are:

Allison	Bannister	Bradley
Burns	Caskey	Chumley
Dabney	Elliott	Felder
Forrest	Fry	Haddon
Hill	Hixon	Hyde
Jones	Long	Magnuson
May	McCabe	McCravy
T. Moore	Morgan	D. C. Moss

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Nutt
Trantham

Oremus
Wooten

Taylor

Total--29

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

R. 127, S. 862--GOVERNOR'S VETO SUSTAINED

The Veto on the following Act was taken up:

(R. 127, S. 862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

Rep. S. WILLIAMS explained the Veto.

The question was put, shall the Act become a part of the law, the Veto of his Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 69; Nays 35

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bannister	Bennett
Blackwell	Bradley	Brittain
Bustos	Calhoon	Carter
Clyburn	Cobb-Hunter	Cogswell
Collins	W. Cox	Dillard
Erickson	Finlay	Gagnon
Garvin	Gatch	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hosey
Howard	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	King
Kirby	Ligon	Lucas
McDaniel	McGarry	McGinnis

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McKnight	Murray	B. Newton
W. Newton	Ott	Parks
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	Stavrinakis
Tedder	Thigpen	Weeks
West	Wetmore	Wheeler
Whitmire	R. Williams	S. Williams

Total--69

Those who voted in the negative are:

Allison	Ballentine	Bryant
Burns	Caskey	Chumley
Dabney	Davis	Elliott
Felder	Fry	Haddon
Hill	Hiott	Hixon
Huggins	Hyde	Jones
Long	Magnuson	May
McCabe	McCravy	T. Moore
Morgan	D. C. Moss	V. S. Moss
Nutt	Oremus	M. M. Smith
Taylor	Thayer	Trantham
Willis	Wooten	

Total--35

So, the Veto of the Governor was sustained and a message was ordered sent to the Senate accordingly.

SENT TO THE SENATE

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 5138 -- Reps. Hosey and Bamberg: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY

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REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.

S. 1157--ORDERED TO THIRD READING

The following Bill was taken up:

S. 1157 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.

Rep. HOSEY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Bryant
Burns	Calhoon	Carter
Chumley	Clyburn	Cogswell
Collins	W. Cox	Crawford
Dabney	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliard	Govan	Haddon
Hardee	Hart	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	K. O. Johnson	Jones
King	Kirby	Ligon
Long	Lowe	Lucas

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

Total--99

Those who voted in the negative are:

Total--0

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

SENT TO THE SENATE

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

H. 5036 -- Reps. Sandifer, West, Thigpen, Hardee, Jordan, Anderson, Bailey, Gagnon, Simrill, Thayer, White and Atkinson: A BILL TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 31, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDINGS UNFIT FOR HABITATION IN COUNTIES, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO BUILDINGS UNFIT FOR OCCUPATION, TO ADD A CAUSE FOR WHICH POLICE POWERS MAY BE USED REGARDING RUBBISH, AND TO DELETE AN APPROVAL REQUIREMENT.

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT

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ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

H. 4834 -- Reps. Bernstein, Collins, Crawford, Fry and Felder: A BILL TO AMEND SECTION 44-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTIFIED COPIES OF AN ORIGINAL BIRTH CERTIFICATE, SO AS TO ADD A DEFINITION FOR "OTHER LEGAL REPRESENTATIVE"; TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO OBTAIN CERTIFIED COPIES OF ORIGINAL BIRTH CERTIFICATES PURSUANT TO A WRITTEN AGREEMENT WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND FOR OTHER PURPOSES.

H. 3775 -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V. S. Moss, G. R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

H. 5139 -- Rep. Rutherford: A BILL TO AMEND SECTIONS 63-1-40 AND 63-19-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO STATUS OFFENSES, SO AS TO ELIMINATE PLAYING A PINBALL MACHINE AS A STATUS OFFENSE; AND TO REPEAL SECTION 63-19-2430 RELATING TO THE PLAYING OF PINBALL MACHINES BY A MINOR.

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

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

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

H. 5159--ORDERED TO THIRD READING

The following Bill was taken up:

H. 5159 -- Reps. G. R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT OF GREENVILLE COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS.

Rep. G. R. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
W. Cox	Crawford	Dabney
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

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Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Oremus
Parks	Pendarvis	Pope
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	Willis
Wooten	Yow	

Total--107

Those who voted in the negative are:

Total--0

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

S. 1167--ORDERED TO THIRD READING

The following Bill was taken up:

S. 1167 -- Senator Peeler: A BILL TO AMEND SECTION 7-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHEROKEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO REMOVE ARCHAIC LANGUAGE.

Rep. D. C. MOSS explained the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
W. Cox	Crawford	Dabney
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	J. L. Johnson	K. O. Johnson
Jones	King	Kirby
Ligon	Long	Lowe
Lucas	Matthews	May
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--105

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Those who voted in the negative are:

Total--0

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

H. 3696--RECALLED FROM COMMITTEE ON JUDICIARY

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

H. 3696 -- Reps. Lucas, G. M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

H. 3346--DEBATE ADJOURNED

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

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G. M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY 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 GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND

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OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

Rep. W. COX moved to adjourn debate on the Senate Amendments, which was agreed to.

S. 1090--DEBATE ADJOURNED

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

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

Rep. SANDIFER moved to adjourn debate upon the Senate Amendments until Tuesday, April 5, which was agreed to.

MOTION PERIOD

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

H. 3938--DEBATE ADJOURNED

The following Bill was taken up:

H. 3938 -- Reps. Tedder, Pendarvis, J. L. Johnson, Garvin, Cogswell, M. M. Smith, Stavrinakis, Thigpen, Clyburn, Hosey, Jefferson, King, Brawley, Henegan, Govan, Henderson-Myers, Murray, Gilliard, K. O. Johnson, Dillard, McDaniel and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 7, TITLE 6, ENTITLED THE

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"SOUTH CAROLINA INCLUSIONARY HOUSING ACT" SO AS TO PROVIDE THAT COUNTIES AND MUNICIPALITIES ARE AUTHORIZED TO ADOPT AND USE VOLUNTARY INCLUSIONARY HOUSING STRATEGIES TO INCREASE THE AVAILABILITY OF AFFORDABLE HOUSING.

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

H. 4879--DEBATE ADJOURNED

The following Joint Resolution was taken up:

H. 4879 -- Reps. G. M. Smith, Lucas, Simrill, Erickson, Elliott, W. Cox, White, B. Newton, McGarry, Bradley, Taylor, Calhoon, Daning and W. Newton: A JOINT RESOLUTION TO CREATE THE "STUDENT FLEXIBILITY IN EDUCATION SCHOLARSHIP FUND", TO PROVIDE FOR FUNDING, TO PROVIDE FOR QUALIFICATIONS, AND TO PROVIDE FOR THE ADMINISTRATION OF THE PROGRAM.

Rep. WHITE moved to adjourn debate on the Joint Resolution, which was agreed to.

H. 3958--AMENDED AND ORDERED TO THIRD READING

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, Hyde, Murray, Daning, M. M. Smith and Davis: 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".

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Rep. WHITE proposed the following Amendment No. 4 to H. 3958 (COUNCIL\AHB\3958C002.RT.AHB22), which was adopted:

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

/ SECTION 1. Article 3, Chapter 5, Title 17 of the 1976 Code is amended by adding:

“Section 17-5-135. A coroner or his designee may possess and administer an opioid antidote pursuant to the requirements of the South Carolina Overdose Prevention Act. The coroner must comply with all of the requirements of Section 44-130-60 and is entitled to immunity from civil or criminal liability or professional disciplinary action when administering an opioid antidote to a person he believes in good faith is experiencing an opioid overdose.”

SECTION 2. Chapter 130, Title 44 of the 1976 Code is amended by adding:

“Section 44-130-70. (A) A coroner or coroner’s designee may administer an opioid antidote if the coroner or coroner’s designee believes in good faith that the person is experiencing an opioid overdose.

(B) The coroner or coroner’s designee must comply with all applicable requirements for possession, administration, and disposal of the opioid antidote and administration device. The department may promulgate regulations to implement this section, including appropriate training for coroners or coroners’ designees who carry or have access to an opioid antidote.

(C) A coroner, or coroner’s designee who administers an opioid antidote in accordance with the provisions of this section to a person whom the coroner or coroner’s designee believes in good faith is experiencing an opioid overdose is not by an act or omission subject to civil or criminal liability or to professional disciplinary action.

(D)(1) A coroner or coroner’s designee who administers an opioid antidote as provided in this section shall report to the department’s Bureau of Emergency Medical Services information regarding the opioid antidote administered for inclusion in the prescription monitoring program. The information submitted must include:

(a) date the opioid antidote was administered; and
(b) name, address, and date of birth of the person to whom the opioid antidote was administered, if available.

(2) A coroner or coroner’s designee shall submit the information required pursuant to item (1) electronically or by facsimile to the Bureau of Emergency Services within thirty days of

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administration. The Bureau of Emergency Medical Services shall transmit the information to the department's Bureau of Drug Control.

(3)(a) If a coroner, or coroner's designee submits the name, address, and date of birth of a person to whom an opioid antidote was administered, Drug Control shall verify whether any prescription history of the person appears in the prescription monitoring program and, if prescription history exists, shall document for review by a practitioner or an authorized delegate the date on which the opioid antidote was administered to the person. If no history exists, then Drug Control shall confirm that the antidote was administered in response to a verified opioid overdose. If the antidote was administered in error, then Drug Control shall document the error.

(b) Drug Control also shall maintain data on the administering of opioid antidotes by coroners or coroners' designees including, but not limited to, the frequency with which coroners or coroners' designees administer opioid antidotes by geographic location, coroner or coroner's designee, and dispenser."

SECTION 3. Section 17-5-510 of the 1976 Code is amended to read:

"Section 17-5-510. In counties which have both a coroner and a medical examiner:

(1) the coroner has the ultimate responsibility for carrying out the duties required by this article;

(2) the medical examiner's duties must be specified in an annual written contract between the county governing body and the medical examiner; and

(3) a coroner is considered a public safety officer under 34 U.S.C. § 10281 et seq., if killed in the line of duty."

SECTION 4. Nothing in this act may be construed as creating or granting benefits in addition to those which a coroner or coroner's designee specifically may be entitled to by law.

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. WHITE 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 113; Nays 0

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	W. Cox	Crawford
Dabney	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	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	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--113

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Those who voted in the negative are:

Total--0

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

H. 4220--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4220 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4220 (COUNCIL\PH\4220C002.JN.PH22), which was adopted:

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

/ SECTION 1. Article 3, Chapter 63, Title 38 of the 1976 Code is amended by adding:

“Section 38-63-230. (A) An insurer may rescind a life insurance policy within the two-year contestability period in Section 38-63-220(d) by:

(1) a mutual rescission agreement executed by all parties based on false statements included in the application; or

(2) proving a fraudulent or material misrepresentation by clear and convincing evidence in a court of competent jurisdiction.

(B) Mutual rescission of a policy may be accomplished by:

(1) mailing a certified letter to the last known address on record of the insured, policy owner or, if the owner is deceased, the beneficiary, notifying the insured, policy owner, or beneficiary that the insurer is seeking a mutual rescission of the policy. The letter must state the policy is being rescinded for false statements included in the application and include the important notice language set forth in subsection (C). The letter must also specify which statements in the application were false

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along with a brief explanation of the facts supporting the determination that the statements were false;

(2) including a check reimbursing the insured, policy owner, or beneficiary the premium paid to the insurer with language stamped on the back of the check that reads: 'I understand that cashing or depositing this check voids the policy and no benefits will be payable under the policy and am agreeing to the rescission of this policy'; and

(3) signing and cashing or depositing the premium reimbursement check by the insured, policyowner, or beneficiary, which will be deemed an acceptance of the proposed mutual rescission of the policy.

(C) Any certified letter proposing the rescission of a life insurance policy during the contestability period must include the following language in 12-point bold face type:

'IMPORTANT NOTICE:

You are the insured, owner, or beneficiary of an insurance policy the company proposes to rescind. This letter is notice the company seeks your consent to void and rescind the policy issued to you or that names you as a beneficiary based on false statements made in the application for insurance. If rescinded, the policy is void and no benefits will be payable under the policy. You do not have to agree to the rescission of this policy. If you do not agree, do not cash or deposit the enclosed check. Return it to the insurer or destroy it.

By cashing or depositing the enclosed premium reimbursement check, you are agreeing to rescind this policy. No benefits will be due or payable under the voided policy. If you do not agree to rescind this policy, the insurer has the right, in its sole discretion, to bring a court action to rescind the policy in accordance with South Carolina law.

You also have the right to bring an action in court if your policy is canceled or your claim for benefits is denied for material misrepresentation.

You may want to speak with an attorney about this notice. If you have any questions concerning this proposal, either you or your attorney may contact the insurer at the number listed in the letter.

Information regarding the specific misrepresentation that was made in your policy and a brief explanation of the insurer's determination that the representation is false is included with this letter.'

(D) Insurance policies that are guaranteed issue or are not underwritten are not subject to mutual rescission."

SECTION 2. Section 38-63-220(d) of the 1976 Code is amended to read:

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“(d) a provision that the policy and any rider or supplemental benefits attached to the policy are incontestable as to the truth of the application for insurance and to the representations of the insured individual after they have been in force during the lifetime of the insured for a period of two years from their date of issue. Any rider or supplemental benefits subsequently attached to the policy are incontestable as to the truth of the application for the rider or supplemental benefits and to the representations of the insured individual after they have been in force during the lifetime of the insured for a period of two years from their date of issue. If an insurer initiates a mutual rescission or institutes proceedings to vacate a policy on the ground of the falsity of the representations contained in the application for the policy, the proceedings or mutual rescission must commence within the time permitted in this subsection;”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. HARDEE 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 95; Nays 5

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bannister	Blackwell
Bradley	Burns	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	W. Cox	Crawford
Davis	Dillard	Elliott
Erickson	Finlay	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hosey	Howard	Hyde

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Jefferson	J. L. Johnson	K. O. Johnson
Jones	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
V. S. Moss	Murray	B. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--95

Those who voted in the negative are:

Dabney	Felder	J. E. Johnson
McCabe	D. C. Moss	

Total--5

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

H. 4997--DEBATE ADJOURNED

The following Bill was taken up:

H. 4997 -- Reps. Herbkerson, West, B. Cox, Rutherford, W. Newton, Wooten, Caskey, Huggins, Ballentine, Weeks, R. Williams, Bradley and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO TRANSFER FROM THE SOUTH CAROLINA MENTAL HEALTH COMMISSION THE AUTHORITY AND RESPONSIBILITY FOR ESTABLISHING VETERANS NURSING HOMES AND TO DEVOLVE THOSE SAME DUTIES, RESPONSIBILITIES, AND FUNCTIONS UPON THE

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DEPARTMENT OF VETERANS' AFFAIRS; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 SO AS TO AUTHORIZE THE DEPARTMENT OF VETERANS' AFFAIRS TO ESTABLISH AND OPERATE VETERANS NURSING HOMES; TO AMEND SECTION 43-35-520, RELATING TO VULNERABLE ADULT FATALITY INVESTIGATIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTIONS 44-11-30 AND 44-11-40 RELATING TO VETERANS NURSING HOMES ESTABLISHED BY THE SOUTH CAROLINA MENTAL HEALTH COMMISSION.

Rep. HERBKERSMAN moved to adjourn debate on the Bill until Tuesday, April 5, which was agreed to.

R. 127, S. 862 -- VETO RECONSIDERED AND OVERRIDDEN

Rep. D. C. MOSS moved to reconsider the vote whereby the Veto on the following Act was sustained, which was agreed to:

(R. 127, S. 862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

The question was put, shall the Act become a part of the law, the Veto of his Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 70; Nays 32

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bannister	Bradley
Brittain	Bustos	Calhoon
Carter	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
Crawford	Dillard	Erickson
Finlay	Gagnon	Garvin
Gatch	Gilliard	Govan
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkerman
Hewitt	Hixon	Hosey

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Howard	Jefferson	J. L. Johnson
K. O. Johnson	King	Kirby
Ligon	Lowe	Lucas
Matthews	McDaniel	McGarry
McKnight	J. Moore	D. C. Moss
Murray	B. Newton	Ott
Parks	Pendarvis	Pope
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	Taylor	Tedder
Thigpen	Weeks	West
Wetmore	Wheeler	R. Williams
S. Williams		

Total--70

Those who voted in the negative are:

Allison	Ballentine	Bennett
Bryant	Burns	Caskey
Dabney	Davis	Elliott
Felder	Forrest	Fry
Haddon	Hill	Hiott
Huggins	Hyde	Jones
Long	Magnuson	May
McCravy	T. Moore	Morgan
V. S. Moss	Nutt	Oremus
M. M. Smith	Thayer	Trantham
Whitmire	Willis	

Total--32

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

H. 4998--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4998 -- Reps. Caskey, Wetmore, W. Newton and Wooten: A BILL TO AMEND SECTIONS 61-4-10, 61-6-20, 61-6-30, 12-21-1010, 12-21-1030, AND 12-33-245, ALL RELATING TO ALCOHOLIC BEVERAGES, SO AS TO CONSIDER ALCOHOLIC

[HJ]

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CONSUMABLES THE SAME AS ALCOHOLIC BEVERAGES AND
TO MAKE CONFORMING CHANGES.

Rep. BENNETT moved to adjourn debate on the Bill.

Rep. CASKEY moved to table the motion.

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

Yeas 84; Nays 26

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Blackwell	Bradley
Bryant	Bustos	Calhoon
Carter	Caskey	Clyburn
Cogswell	Collins	W. Cox
Dabney	Dillard	Elliott
Erickson	Finlay	Forrest
Gatch	Gilliard	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	May	McCabe
McCravy	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Oremus
Parks	Pendarvis	Pope
Rivers	Robinson	Rose
Rutherford	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer

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Thigpen	Weeks	West
Wetmore	Wheeler	White
S. Williams	Willis	Wooten

Total--84

Those who voted in the negative are:

Bennett	Burns	Chumley
Cobb-Hunter	Crawford	Davis
Felder	Fry	Garvin
Govan	Haddon	Hill
Hiott	Howard	Jefferson
Jones	King	Matthews
McDaniel	McKnight	J. Moore
Ott	Sandifer	Trantham
Whitmire	R. Williams	

Total--26

So, the House tabled the motion to adjourn debate.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4998 (COUNCIL\DG\4998C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 7 and inserting:

/ SECTION 7. This act takes effect ninety days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. CASKEY explained the amendment.

Rep. CASKEY spoke in favor of the amendment.

Rep. RUTHERFORD spoke against the amendment.

Rep. WETMORE spoke in favor of the amendment.

The amendment was then adopted.

ACTING SPEAKER HIOTT IN CHAIR

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Rep. RUTHERFORD proposed the following Amendment No. 2 to H. 4998 (COUNCIL\DG\4998C002.NBD.DG22), which was tabled:

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

/ SECTION ____ . A. Section 61-6-4160 of the 1976 Code is amended to read:

“Section 61-6-4160. (A) It is unlawful to sell alcoholic liquors on Sunday except as authorized by law, on Christmas Day, or during periods proclaimed by the Governor in the interest of law and order or public morals and decorum. Full authority to proclaim these periods is conferred upon the Governor in addition to all his other powers. It is unlawful for a retail dealer to sell alcoholic liquors on Sunday except as authorized and provided for in subsections (B) and (C).

(B) The Department of Revenue may issue a permit to allow the sale of alcoholic liquors on Sunday by a licensed retail dealer in a county or municipality that authorizes the sale of alcoholic liquors on Sunday in the manner provided in subsection (C). The department shall charge a nonrefundable filing fee of one hundred dollars for processing each application. The department shall charge for an annual fifty-two week permit a nonrefundable fee of three thousand dollars per year. However, the fifty-two week permit must not extend beyond the expiration date of the biennial license issued pursuant to this chapter. If the expiration date is less than fifty-two weeks from the date of the application for the fifty-two week permit, the department must prorate the three thousand dollar fee on a monthly basis. The department in its sole discretion shall specify the terms and conditions of the permit. The filing and permit fees must be distributed by the State Treasurer to the municipality or county in which the retailer who paid the fee is located.

(C)(1) A permit authorized by this section may be issued only in those counties or municipalities where a majority of the qualified electors voting in a referendum vote in favor of the issuance of the permit. The county or municipal election commission, as the case may be, shall conduct a referendum upon petition of at least ten percent but not more than seven thousand five hundred qualified electors of the county or municipality, as the case may be. The petition form must be submitted to the election commission not less than one hundred twenty days before the date of the referendum. The names on the petition must be on the petition form provided to county election officials by the State Election Commission. The names on the petition must be certified by the election commission within sixty days after receiving the petition form. The referendum must be conducted at the next general election. The

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election commission shall cause a notice to be published in a newspaper circulated in the county or municipality, as the case may be, at least seven days before the referendum. The state election laws must apply to the referendum, mutatis mutandis. The election commission shall publish the results of the referendum and certify them to the South Carolina Department of Revenue. The question on the ballot must be:

‘Shall the South Carolina Department of Revenue be authorized to issue permits to licensed retail dealers in this (county) (municipality) to allow for the sale of alcoholic liquors on Sunday in compliance with the provisions of the Alcoholic Beverage Control Act?’

(2) A referendum for this purpose may not be held more often than once in forty-eight months.

(3) The expenses for this purpose must be paid by the county or municipality conducting the referendum.

(4) In addition to the petition method of calling the referendum provided for in this subsection, a county or municipal governing body by ordinance also may call the referendum. Upon receipt of a copy of the ordinance filed with the county or municipal election commission at least sixty days before the date of the next general election, the commission shall conduct the referendum in the manner provided in this section at that general election. The provisions of this item are in addition to the authority of a municipal governing body to call for a referendum under the circumstances enumerated in subsection (C)(1).

(D)(1) The municipal governing body may order a referendum on the question of the issuance of permits to allow the sale of alcoholic liquors in the following circumstances:

(a) parts of the municipality are located in more than one county;

(b) as a result of a favorable vote in a county referendum held pursuant to this section, permits may be issued in only the parts of the municipality located in that county; and

(c) the proposed referendum would authorize issuance of permits in the remaining parts of the municipality.

(2) The method of ordering a referendum provided in this subsection is in addition to the petition method provided in subsection (C). An unfavorable vote in a municipal referendum does not affect the authority to issue these permits in the part of the municipality located in a county where these permits may be issued.

(3) Upon receipt of a copy of the ordinance filed with the municipal election commission at least sixty days before the date of the general election, the commission must conduct the referendum at the

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time of the general election and publish and certify its results in the same manner as provided in subsection (C).

(E) Permits issued by the Department of Revenue pursuant to this section may be issued in all parts of a municipality if any part of the municipality is located in a county where the issuance of these permits is allowed.

(F)(1) For purposes of referendums held pursuant to this section, 'general election' means a:

(a) municipal general election held at a time other than the first Tuesday following the first Monday in November of even-numbered years; or

(b) county general election held on the first Tuesday following the first Monday in November of even-numbered years.

(2) A municipality that does not have a municipal general election scheduled within the same calendar year as a county general election may call, by ordinance, for a referendum to be held on the same date as the county general election, provided that a copy of the ordinance has been filed with the county and municipal election commissions no later than the date required by Section 7-13-355. The expenses for a referendum ordered by a municipality must be paid by the municipality. When a municipal referendum is held at the time of a county general election, the referendum may be conducted by the municipal or county election commission as provided for by an agreement between the municipality and county.

(G) A person who violates a provision of this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

~~(a)~~(1) for a first offense, by a fine of two hundred dollars or imprisonment for sixty days;

~~(b)~~(2) for a second offense, by a fine of one thousand dollars or imprisonment for one year; and

~~(c)~~(3) for a third or subsequent offense, by a fine of two thousand dollars or imprisonment for two years."

B. This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 65; Nays 35

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Blackwell	Bradley
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Collins	W. Cox
Crawford	Dabney	Davis
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Gatch	Govan	Haddon
Hardee	Hayes	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Ligon	Long
Lowe	Lucas	Magnuson
McCravy	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Nutt	Oremus	Pope
Sandifer	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	White	Whitmire
Willis	Wooten	

Total--65

Those who voted in the negative are:

Alexander	Bennett	Clyburn
Dillard	Garvin	Gilliard
Hart	Henderson-Myers	Henegan
Hill	Hosey	Jefferson
J. L. Johnson	K. O. Johnson	King
Kirby	May	McCabe
McDaniel	McKnight	J. Moore
Murray	Ott	Parks
Pendarvis	Rivers	Robinson
Rose	Rutherford	Stavrinakis

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Tedder
R. Williams

Thigpen
S. Williams

Wheeler

Total--35

So, the amendment was tabled.

SPEAKER PRO TEMPORE IN CHAIR

Rep. RUTHERFORD proposed the following Amendment No. 3 to H. 4998 (COUNCIL\DG\4998C003.NBD.DG22), which was tabled:

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

/ SECTION ____ . A. Section 61-4-50(A) of the 1976 Code is amended to read:

“(A) It is unlawful for a person to sell beer, ale, porter, wine, or other similar malt or fermented beverage to a person under ~~twenty-one~~ eighteen years of age. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.”

B. Section 61-4-70 of the 1976 Code is amended to read:

“Section 61-4-70. A person engaged in the business of selling at retail beer or wine must post in each location for which he has obtained a permit a sign with the following words printed thereon: ‘The possession of beer, wine, or alcoholic liquors, by a person under ~~twenty-one~~ eighteen years of age is a criminal offense under the laws of this State, and it is also unlawful for a person to knowingly give false information concerning his age for the purpose of purchasing beer, wine, or liquor’. The department must prescribe by regulation the size of the lettering and the location of the sign on the seller’s premises.

A retail seller of beer or wine who fails to display the sign required by this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

A person found guilty of a violation of Section 61-6-1530 and this section may not be sentenced under both sections for the same offense.”

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C. Section 61-4-90 of the 1976 Code is amended to read:

“Section 61-4-90. (A) It is unlawful for a person to transfer or give to a person under the age of ~~twenty-one~~ eighteen years for the purpose of consumption of beer or wine in the State, unless the person under the age of ~~twenty-one~~ eighteen is recruited and authorized by a law enforcement agency to test a person’s compliance with laws relating to the unlawful transfer or sale of beer and wine to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) A person found guilty of a violation of Section 61-6-4070 and this section may not be sentenced under both sections for the same offense.

(C) The provisions of this section do not apply to a:

(1) spouse over the age of ~~twenty-one~~ eighteen giving beer or wine to his spouse under the age of ~~twenty-one~~ eighteen in their home;

(2) parent or guardian over the age of ~~twenty-one~~ eighteen giving beer or wine to his children or wards under the age of ~~twenty-one~~ eighteen in their home; or

(3) person giving beer or wine to another person under the age of ~~twenty-one~~ eighteen in conjunction with a religious ceremony or purpose if the beer or wine was lawfully purchased.

(D) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages are not considered to be in unlawful possession of the beverages during the course and scope of their duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(E) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(F) The provisions of this section do not apply to a student who:

(1) is eighteen years of age or older;

(2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;

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(3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and

(4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be ~~twenty-one~~ eighteen years of age or older. Nothing in this subsection may be construed to allow a student under the age of ~~twenty-one~~ eighteen to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum."

D. Section 61-4-100(D) of the 1976 Code is amended to read:

"(D) Notwithstanding the provisions of subsections (A) and (B), a person under the age of ~~twenty-one~~ eighteen may be recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of beer or wine to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent. If the requirements of this subsection are met, a person may be charged with a violation of Section 61-4-50 without the requirement that the minor also be charged."

E. Section 61-4-360 of the 1976 Code, as added by Act 161 of 2020, is amended to read:

"Section 61-4-360. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty-five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples must be clearly marked 'Sample—Not for resale'. Nothing in this section allows for any sample to be sold or provided to any employees under the age of ~~twenty-one~~ eighteen or to a retailer's customers. The producer or wholesaler shall remove all bottles at the conclusion of the sampling. For purposes of this section, the term 'brand' is defined as provided under 27 C.F.R. Section 6.11."

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F. Section 61-4-520(4) of the 1976 Code is amended to read:

“(4) The applicant is ~~twenty-one~~ eighteen years of age or older.”

G. Section 61-4-580(A)(1) of the 1976 Code is amended to read:

“(1) sell beer or wine to a person under ~~twenty-one~~ eighteen years of age;”

H. Section 61-4-745 of the 1976 Code is amended to read:

“Section 61-4-745. (A) Subject to the provisions of Section 61-4-747, a person who is at least ~~twenty-one~~ eighteen years of age and who is a legal resident of this State, may cause to be shipped or transported from a manufacturer of wine up to twenty-four bottles of wine each month for his own consumption or use, and not for resale, into and out of this State without the necessity of acquiring any permits or licenses or other forms of public or private authorization except for the payment of appropriate taxes.

(B) All containers of wine shipped directly to a resident in this State must be labeled conspicuously with the words ‘CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE ~~21~~ 18 OR OLDER REQUIRED FOR DELIVERY’.”

I. Section 61-4-747(A) and (C)(2) of the 1976 Code is amended to read:

“(A) Notwithstanding any other provision of law, rule, or regulation to the contrary, a manufacturer of wine located within this State or outside this State that holds a wine producer and blenders basic permit issued in accordance with the Federal Alcohol Administration Act and obtains an out-of-state shipper’s license, as provided in this section, may ship up to twenty-four bottles of wine each month directly to a resident of this State who is at least ~~twenty-one~~ eighteen years of age for such resident’s personal use and not for resale.

(2) ensure that all containers of wine shipped directly to a resident in this State are labeled conspicuously with the words ‘CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE ~~21~~ 18 OR OLDER REQUIRED FOR DELIVERY’;”

J. Section 61-4-748(A)(14) of the 1976 Code, as added by Act 60 of 2021, is amended to read:

“(14) tastings and sales shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of ~~twenty-one~~ eighteen.”

K. Section 61-4-960(A)(10) of the 1976 Code is amended to read:

“(10) a sample shall not be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of

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~~twenty-one~~ eighteen years. A person tasting a sample may not be allowed to loiter on the store premises;”

L. Section 61-4-1515(A)(2) and (8) of the 1976 Code is amended to read:

“(2) sales shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of ~~twenty-one~~ eighteen;

(8) a brewery must provide department or DAODAS approved alcohol enforcement training for the employees who serve beer on the permitted premises to consumers for on-premises consumption, so as to prevent and prohibit unlawful sales, transfer, transport, or consumption of beer by persons who are under the age of ~~twenty-one~~ eighteen or who are intoxicated; and”

M. Section 61-4-1920(A)(2) of the 1976 Code is amended to read:

“(2) requiring the purchaser to sign a statement attesting to the accuracy of the purchaser’s information, acknowledging that, unless otherwise permitted by law, it is unlawful to transfer beer to a person under the age of ~~twenty-one~~ eighteen, and that, unless otherwise permitted by law, the beer in the keg will not be consumed by a person under the age of ~~twenty-one~~ eighteen; and”

N. Section 17-22-520(C)(1) of the 1976 Code is amended to read:

“(1) purchase or possession of beer or wine by a person under the age of ~~twenty-one~~ eighteen pursuant to Section 63-19-2440;”

O. Section 63-19-2440 of the 1976 Code is amended to read:

“Section 63-19-2440. (A) It is unlawful for a person under the age of ~~twenty-one~~ eighteen to purchase, attempt to purchase, consume, or knowingly possess beer, ale, porter, wine, or other similar malt or fermented beverage. Possession is prima facie evidence that it was knowingly possessed. Notwithstanding another provision of law, if the law enforcement officer has probable cause to believe that a person is under age ~~twenty-one~~ eighteen and has consumed alcohol, the law enforcement officer or the person may request that the person submit to any available alcohol screening test using a device approved by the State Law Enforcement Division. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(B) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved alcohol prevention education or intervention program. The program must be a

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minimum of eight hours and the cost to the person may not exceed one hundred fifty dollars.

(C) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages is not considered to be in unlawful possession of the beverages during the course and scope of his duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least ~~twenty-one~~ eighteen years of age.

(D) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(E) The provisions of this section do not apply to a student who:

- (1) ~~is eighteen years of age or older~~ Reserved;
- (2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;
- (3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and
- (4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be ~~twenty-one~~ eighteen years of age or older. Nothing in this subsection may be construed to allow a student under the age of ~~twenty-one~~ eighteen to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum.

(F) The provisions of this section do not apply to a person under the age of ~~twenty-one~~ eighteen who is recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of beer or wine to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent."

P. This SECTION takes effect upon approval by the Governor and first applies on January 1, 2023. /

Renumber sections to conform.

Amend title to conform.

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Rep. RUTHERFORD explained the amendment.

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

Rep. MCKNIGHT proposed the following Amendment No. 4 to H. 4998 (COUNCIL\SA\4998C001.JN.SA22), which was tabled:

Amend the bill, as and if amended, by striking SECTION 7 and inserting:

/ SECTION 7. This act takes effect ninety days after approval by the Governor. A wholesaler, retailer, or producer who is offering for sale an alcoholic consumable at the time of the effective date of this act may continue to offer for sale alcoholic consumables notwithstanding the provisions of this act. /

Renumber sections to conform.

Amend title to conform.

Rep. MCKNIGHT explained the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 60; Nays 47

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Blackwell	Bradley	Bryant
Burns	Calhoon	Carter
Caskey	Chumley	Collins
B. Cox	W. Cox	Crawford
Dabney	Elliott	Erickson
Finlay	Forrest	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hewitt	Hill
Hiott	Hixon	Hyde
J. E. Johnson	Jordan	Ligon
Long	Lowe	Lucas
McCabe	McCravy	McGarry
McGinnis	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Pope	Sandifer	G. R. Smith

[HJ]

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Stavrinakis	Taylor	Thayer
Trantham	West	Wetmore
Wheeler	White	Whitmire
Willis	Wooten	Yow

Total--60

Those who voted in the negative are:

Alexander	Allison	Atkinson
Bennett	Bustos	Clyburn
Cobb-Hunter	Davis	Dillard
Felder	Fry	Garvin
Gilliard	Govan	Hart
Henderson-Myers	Henegan	Hosey
Howard	Huggins	Jefferson
J. L. Johnson	K. O. Johnson	Jones
King	Magnuson	Matthews
May	McDaniel	McKnight
J. Moore	T. Moore	Murray
Nutt	Oremus	Ott
Parks	Pendarvis	Rivers
Robinson	Rose	Rutherford
M. M. Smith	Tedder	Weeks
R. Williams	S. Williams	

Total--47

So, the amendment was tabled.

Rep. MCKNIGHT proposed the following Amendment No. 5 to H. 4998 (COUNCIL\SA\4998C002.JN.SA22), which was tabled:

Amend the bill, as and if amended, by striking SECTION 7 and inserting:

/ SECTION 7. This act takes effect ninety days after approval by the Governor. A wholesaler, retailer, or producer who is offering for sale an alcoholic consumable at the time of the effective date of this act must be compensated for any loss of revenue due to the provisions of this act from the general fund for five years following the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

[HJ]

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Rep. MCKNIGHT explained the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 75; Nays 27

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Collins	B. Cox	Crawford
Dabney	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hewitt	Hill
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	May	McCabe
McCravy	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Nutt	Ott	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Thayer	Trantham	West
Wetmore	White	Whitmire
Willis	Wooten	Yow

Total--75

Those who voted in the negative are:

Clyburn	Cobb-Hunter	Garvin
Gilliard	Govan	Hart
Henderson-Myers	Henegan	Hosey

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Howard	Jefferson	J. L. Johnson
K. O. Johnson	King	McDaniel
McKnight	J. Moore	Parks
Pendarvis	Rivers	Robinson
Rose	Rutherford	Tedder
Weeks	R. Williams	S. Williams

Total--27

So, the amendment was tabled.

Rep. MCKNIGHT spoke against the Bill.

Rep. RUTHERFORD spoke against the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 66; Nays 35

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Blackwell	Bradley
Bryant	Burns	Calhoon
Carter	Caskey	Chumley
Collins	B. Cox	W. Cox
Dabney	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Gilliam	Haddon
Hayes	Hewitt	Hiott
Hixon	Huggins	Hyde
J. E. Johnson	Jordan	King
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
McCabe	McCravy	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Nutt	Oremus
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	Stavrinakis
Taylor	Thayer	West

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Wetmore	White	Whitmire
Willis	Wooten	Yow

Total--66

Those who voted in the negative are:

Alexander	Atkinson	Bennett
Clyburn	Davis	Dillard
Fry	Garvin	Gilliard
Govan	Hart	Henderson-Myers
Henegan	Hill	Jefferson
J. L. Johnson	K. O. Johnson	Jones
Kirby	May	McDaniel
McKnight	J. Moore	Murray
Ott	Parks	Pendarvis
Robinson	Rose	Rutherford
M. M. Smith	Tedder	Trantham
Weeks	R. Williams	

Total--35

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

H. 4776--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G. R. Smith, Gilliam, Jones, M. M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J. E. Johnson, Lucas, Morgan and D. C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE

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THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4776 (COUNCIL\VR\4776C001.CC.VR22), which was adopted:

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

/ SECTION 1. This act may be known and cited as the “Medical Ethics and Diversity Act”.

SECTION 2. Title 44 of the 1976 Code is amended by adding:
“CHAPTER 139

Medical Ethics and Diversity Act

Section 44-139-10. (A) The General Assembly finds that the right of conscience is a fundamental and unalienable right. It was central to the founding of the United States, has been deeply rooted in our Nation’s history and tradition for centuries, and has been central to the practice of medicine, through the Hippocratic Oath, for millennia.

(B) Despite its preeminent importance, however, threats to the right of conscience of medical practitioners, health care institutions, and health care payers have become increasingly more common and severe in recent years. The swift pace of scientific advancement and the expansion of medical capabilities, along with the mistaken notion that medical practitioners, health care institutions, and health care payers are mere public utilities, promise only to make the current crisis worse, unless something is done to restore conscience to its rightful place.

(C) With this purpose in mind, the General Assembly declares that it is the public policy of the State of South Carolina to protect the right of conscience for medical practitioners, health care institutions, and health care payers.

(D) As the right of conscience is fundamental, no medical practitioner, health care institutions, and health care payers should be compelled to participate in or pay for any medical procedure or prescribe or pay for any medication to which the practitioner or entity objects on

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the basis of conscience, whether such conscience is informed by religious, moral, or ethical beliefs or principles.

(E) It is the purpose of this chapter to protect medical practitioners, health care institutions, and health care payers from discrimination, punishment, or retaliation as a result of any instance of conscientious medical objection.

Section 44-139-20. For the purposes of this chapter:

(1) ‘Conscience’ means the religious, moral, or ethical beliefs or principles held by any medical practitioner, health care institutions, and health care payers. Conscience with respect to institutional entities or corporate bodies, as opposed to individual persons, is determined by reference to that entity or body’s governing documents including, but not limited to, any published religious, moral, or ethical guidelines or directives; mission statements; constitutions; articles of incorporation; bylaws; policies; or regulations.

(2) ‘Disclosure’ means a formal or informal communication or transmission, but does not include a communication or transmission concerning policy decisions that lawfully exercise discretionary authority unless the medical practitioner providing the disclosure or transmission reasonably believes that the disclosure or transmission evinces:

(a) any violation of any law, rule, or regulation;

(b) any violation of any standard of care or other ethical guidelines for the provision of any health care service; or

(c) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(3) ‘Discrimination’ means any adverse action taken against, or any threat of adverse action communicated to, any medical practitioner, health care institutions, and health care payers as a result of the practitioner’s or entity’s decision to decline to participate in a health care service on the basis of conscience. Discrimination includes, but is not limited to, termination of employment; demotion from current position; adverse administrative action; increased administrative duties; refusal of staff privileges; refusal of board certification; loss of career specialty; reduction of wages, benefits, or privileges; refusal to award a grant, contract, or other program; refusal to provide residency training opportunities; denial, deprivation, or disqualification of licensure; withholding or disqualifying from financial aid and other assistance; impediments to creating any health care institution or payer or expanding or improving said health care institution or payer; impediments to

acquiring, associating with, or merging with any other health care institution or payer; the threat thereof with regard to any of the preceding; or any other penalty, disciplinary, or retaliatory action, whether executed or threatened. For the purposes of this chapter, ‘discrimination’ does not include reassignment to a comparable role for which the employee is duly qualified, if under the same working conditions and without pecuniary impact to the practitioner.

(4) ‘Health care service’ means medical care provided to any patient at any time over the entire course of treatment. This includes, but is not limited to, examination; testing; diagnosis; dispensing and/or administering any drug, medication, or device; psychological therapy or counseling; research; prognosis; therapy; any other care or necessary services performed or provided by any medical practitioner.

(5) ‘Health care institution’ means any public or private hospital, clinic, medical center, physician organization, professional association, ambulatory surgical center, private physician’s office, pharmacy, nursing home, medical school, nursing school, medical training facility, or any other entity or location in which health care services are performed on behalf of any person. Health care institutions may include, but are not limited to, organizations, corporations, partnerships, associations, agencies, networks, sole proprietorships, joint ventures, or any other entity that provides health care services.

(6) ‘Health care payer’ means any employer, health plan, health maintenance organization, insurance company, management services organization, or any other entity that pays for, or arranges for the payment of, any health care service provided to any patient, whether that payment is made in whole or in part, and that either:

(a) is a health care sharing ministry as defined in 26 U.S.C. Section 5000A(d)(2)(B)(ii); or

(b) holds itself out to the public as religious, states in its governing documents that it has a religious purpose or mission, and has internal operating policies or procedures that implement its religious beliefs.

(7) ‘Medical practitioner’ means any person or individual who may be or is asked to participate in any health care service. This includes, but is not limited to, doctors, nurse practitioners, physician’s assistants, nurses, nurses’ aides, allied health professionals, medical assistants, pharmacists, pharmacy technicians, medical school faculty and students, nursing school faculty and students, psychology and counseling faculty and students, medical researchers, laboratory technicians, counselors, or social workers.

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(8) ‘Participate’ in a health care service means to provide, perform, assist with, facilitate, counsel for, advise with regard to, admit for the purposes of providing, or take part in providing, any health care service or any form of such service.

(9) ‘Pay’ or ‘payment’ means to pay for, contract for, arrange for the payment of (whether in whole or in part), reimburse, or remunerate.

Section 44-139-30. (A) A medical practitioner, health care institutions, and health care payers has the right not to participate in or pay for any health care service which violates the practitioner’s or entity’s conscience.

(B) No medical practitioner, health care institutions, and health care payers may be civilly, criminally, or administratively liable for exercising the practitioner’s or entity’s right of conscience with respect to a health care service. No health care institution may be civilly, criminally, or administratively liable for any claims related to or arising out of the exercise of conscience rights protected by this chapter by a medical practitioner employed, contracted, or granted admitting privileges by the health care institution.

(C) No medical practitioner, health care institutions, and health care payers may be discriminated against in any manner as a sole result of the practitioner’s or entity’s decision to decline to participate in a health care service on the basis of conscience.

(D) Notwithstanding any other provision of this chapter to the contrary, a religious medical practitioner, health care institutions, and health care payers that holds itself out to the public as religious, states in its governing documents that it has a religious purpose or mission, and has internal operating policies or procedures that implement its religious beliefs, has the right to make employment, staffing, contracting, and admitting privilege decisions consistent with its religious beliefs.

(E) Nothing in this chapter may be construed to override either the requirement to provide emergency medical treatment to all patients as set forth in 42 U.S.C. Section 1395dd or any other federal law or regulation.

(F) Exercise of the right of conscience is limited to conscience-based objections to a particular health care service. This section may not be construed to waive or modify any duty a health care practitioner, health care institutions, and health care payers may have to provide other medical services that do not violate the practitioner’s, institution’s, or payer’s conscience.

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(G) A medical practitioner exercising his right of conscience to abstain from providing certain health care services pursuant to this chapter may:

- (1) refer the patient to;
- (2) transfer the patient to; or
- (3) provide information to the patient about other medical practitioners or health care institutions who they reasonably believe may offer the health care service that the medical practitioner or health care institution does not to permit, perform, or participate in because of a conscience-based objection to a health care service.

Section 44-139-40. (A) No medical practitioner may be discriminated against in any manner because the medical practitioner:

(1) provided, caused to be provided, or is about to provide or cause to be provided to the practitioner's employer, the Attorney General of South Carolina, the Department of Health and Environmental Control, the South Carolina Board of Medical Examiners, any state agency charged with protecting health care rights of conscience, the U.S. Department of Health and Human Services Office of Civil Rights, or any other federal agency charged with protecting health care rights of conscience information relating to any violation of, or any act or omission the medical practitioner reasonably believes to be a violation of, any provision of this chapter;

(2) testified or is about to testify in a proceeding concerning such violation;

(3) assisted or participated, or is about to assist or participate, in such a proceeding; or

(4) refused to participate in an abortion.

(B) Unless the disclosure is specifically prohibited by law, no medical practitioner may be discriminated against in any manner because the medical practitioner disclosed any information that the medical practitioner reasonably believes evinces:

(1) any violation of any law, rule, or regulation;

(2) any violation of any standard of care or other ethical guidelines for the provision of any health care service; or

(3) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(C) A medical practitioner shall disclose his objection to a health care service to his employer and the entity where the health care service is to be performed within a reasonable amount of time from when he knew or should have known that such a service may be performed. A

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health care institution or employer shall make every reasonable effort to properly document the objection status of a disclosing practitioner.

(D) No provision of this chapter shall be construed as to limit an employer's or contractee's authority to make employment, staffing, contracting, disciplinary, credentialing, privileging, or other related decisions for reasons that are not directly related to individual expressions of conscience that are expressly protected by this chapter.

Section 44-139-50. (A) A medical practitioner or health care institution may, pursuant to Section 1-13-90, file a complaint with the State Human Affairs Commission for any alleged violation of any provision of this chapter.

(B) The State Human Affairs Commission must investigate reports of alleged violations of this chapter. If the State Human Affairs Commission finds that a respondent has engaged in an unlawful discriminatory practice pursuant to this chapter, the State Human Affairs Commission will assist respondent with appropriate corrective action. If, despite assistance, corrective action is not satisfactory, the State Human Affairs Commission shall consult other public officers as the Commission deems proper regarding options to overcome the effects of such violations. At a minimum, the State Human Affairs Commission must provide a copy of its report to:

(1) the Director of the Department of Health and Environmental Control, if the respondent is a health care facility;

(2) the Director of the Department of Labor, Licensing, and Regulation, if the respondent is a medical practitioner.

Section 44-139-60. The licensing and regulation of medical practitioners and the provision of health care services, as defined in Section 44-139-20, is expressly preempted by the State. A county, municipality, or other political subdivision may not adopt or enforce an ordinance, resolution, rule, or policy that restricts, limits, controls, directs, or otherwise interferes with the type and scope of health care services provided by a medical practitioner or the professional conduct and judgment of a medical practitioner when providing health care services.

Section 44-139-70. A health care practitioner may not be scheduled for or assigned to directly or indirectly perform, facilitate, or participate in an abortion unless the practitioner first affirmatively consents in writing to perform, facilitate, or participate in the abortion."

SECTION 3. Section 44-41-50 of the 1976 Code is amended to read:

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“Section 44-41-50. ~~(a)~~(A) No physician, nurse, technician, medical student, or other employee of a hospital, clinic or physician shall be required to recommend, perform or assist in the performance of an abortion if he advises the hospital, clinic or employing physician in writing that he objects to performing, assisting or otherwise participating in such procedures. Such notice will suffice without specification of the reason therefor.

~~(b)~~(B) No physician, nurse, technician, medical student, or other person who refuses to perform or assist in the performance of an abortion shall be liable to any person for damages allegedly arising from such refusal.

~~(c)~~(C) No physician, nurse, technician, medical student, or other person who refuses to perform or assist in the performance of an abortion shall because of that refusal be dismissed, suspended, demoted, or otherwise disciplined or discriminated against by the hospital or clinic with which he is affiliated or by which he is employed. A civil action for damages or reinstatement of employment, or both, may be prosecuted by any person whose employment or affiliation with a hospital or clinic has been altered or terminated in violation of this chapter.

~~(d)~~(D) Any physician who performs an abortion shall also provide, for proper compensation, necessary aftercare for his patient unless released by the patient in writing. The extent of aftercare required shall be that care customarily provided by physicians in such cases in accordance with accepted medical practice.”

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and

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treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 6. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Rep. MCCRAVY explained the amendment.
The amendment was then adopted.

Rep. WETMORE proposed the following Amendment No. 2 to H. 4776 (COUNCIL\SA\4776C002.JN.SA22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 44-139-30(G) and inserting:

/ (G) A medical practitioner exercising his right of conscience to abstain from providing certain health care services pursuant to this chapter shall:

- (1) refer the patient to;
- (2) transfer the patient to; or
- (3) provide information to the patient about other medical practitioners or health care institutions who they reasonably believe may offer the health care service that the medical practitioner or health care institution does not to permit, perform, or participate in because of a conscience-based objection to a health care service. /

Renumber sections to conform.
Amend title to conform.

Rep. WETMORE explained the amendment.

Rep. MCCRAVY spoke against the amendment and moved to table the amendment.

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

Yeas 62; Nays 26

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell

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Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Collins	B. Cox	Crawford
Dabney	Davis	Elliott
Felder	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Hewitt
Hill	Hiott	Hixon
Huggins	Hyde	Jones
Kirby	Ligon	Long
Lucas	Magnuson	May
McCabe	McCravy	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	B. Newton
Nutt	Oremus	Pope
Sandifer	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	White	Whitmire
Willis	Yow	

Total--62

Those who voted in the negative are:

Alexander	Clyburn	Dillard
Garvin	Gilliard	Hart
Henderson-Myers	Henegan	Hosey
Jefferson	J. L. Johnson	K. O. Johnson
McDaniel	J. Moore	Murray
Ott	Pendarvis	Robinson
Rose	Rutherford	Stavrinakis
Tedder	Weeks	Wetmore
Wheeler	R. Williams	

Total--26

So, the amendment was tabled.

Rep. MCCRAVY proposed the following Amendment No. 3 to H. 4776 (COUNCIL\SA\4776C001.JN.SA22), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 44-139-30(C) and inserting:

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/ (C) No medical practitioner, health care institutions, and health care payers may be discriminated against in any manner as a primary result of the practitioner's or entity's decision to decline to participate in a health care service on the basis of conscience. /

Renumber sections to conform.

Amend title to conform.

Rep. MCCRAVY explained the amendment.

The amendment was then adopted by a division vote of 42 to 23.

Rep. WETMORE proposed the following Amendment No. 4 to H. 4776 (COUNCIL\SA\4776C003.JN.SA22), which was tabled:

Amend the bill, as and if amended, SECTION 3, by striking Section 44-41-50 and inserting:

/ “Section 44-41-50. ~~(a) No physician, nurse, technician or other employee of a hospital, clinic or physician shall be required to recommend, perform or assist in the performance of an abortion if he advises the hospital, clinic or employing physician in writing that he objects to performing, assisting or otherwise participating in such procedures. Such notice will suffice without specification of the reason therefor.~~

~~(b)~~(A) No physician, nurse, technician, medical student, or other person who refuses to perform or assist in the performance of an abortion shall be liable to any person for damages allegedly arising from such refusal.

~~(c)~~(B) No physician, nurse, technician, medical student, or other person who refuses to perform or assist in the performance of an abortion shall because of that refusal be dismissed, suspended, demoted, or otherwise disciplined or discriminated against by the hospital or clinic with which he is affiliated or by which he is employed. A civil action for damages or reinstatement of employment, or both, may be prosecuted by any person whose employment or affiliation with a hospital or clinic has been altered or terminated in violation of this chapter.

~~(d)~~(C) Any physician who performs an abortion shall also provide, for proper compensation, necessary aftercare for his patient unless released by the patient in writing. The extent of aftercare required shall be that care customarily provided by physicians in such cases in accordance with accepted medical practice.” /

Renumber sections to conform.

Amend title to conform.

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Rep. WETMORE explained the amendment.

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

Rep. KING proposed the following Amendment No. 5 to H. 4776 (COUNCIL\SA\4776C004.JN.SA22), which was adopted:

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

/ Section 44-139-80. A medical practitioner may not refuse to provide any healthcare service to a person based on his race. /

Renumber sections to conform.

Amend title to conform.

Rep. KING 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 71; Nays 32

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Collins
B. Cox	W. Cox	Crawford
Dabney	Davis	Elliott
Felder	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Hayes
Hewitt	Hill	Hiott
Hixon	Huggins	Hyde
J. E. Johnson	Jones	Jordan
Ligon	Long	Lowe
Lucas	Magnuson	May
McCabe	McCravy	McGarry
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	Nutt
Oremus	Pope	Sandifer

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Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Trantham	Weeks	West
White	Whitmire	Willis
Wooten	Yow	

Total--71

Those who voted in the negative are:

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

Total--32

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. 4776. If I had been present, I would have voted in favor of the Bill.

Rep. Wm. Weston Newton

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4776. If I had been present, I would have voted in favor of the Bill.

Rep. Bill Herbkersman

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H. 3682--COMMITTED

The following Bill was taken up:

H. 3682 -- Reps. Collins, Bailey, Gilliard, Henegan, Ott, Hill, Allison, Murray, Bennett, B. Newton, Burns, Elliott, Jefferson, R. Williams, Jones, Brawley, Haddon, McGarry, Matthews and Anderson: A BILL TO AMEND SECTION 40-33-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE NURSE PRACTICE ACT, SO AS TO PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM SPECIFIC MEDICAL ACTS PURSUANT TO APPROVED WRITTEN GUIDELINES, TO REMOVE THE SUPERVISION REQUIREMENT FROM THE DEFINITION OF "APPROVED WRITTEN GUIDELINES" AND CERTIFIED REGISTERED NURSE ANESTHETIST (CRNA) PRACTICE, AND TO PROVIDE THAT A CRNA MUST HAVE COMPLETED AT LEAST A MASTER'S LEVEL ACCREDITED PROGRAM; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO QUALIFICATIONS FOR THE PERFORMANCE OF MEDICAL ACTS, SO AS TO REVISE GUIDELINES FOR ANESTHESIA CARE, AND TO PROVIDE NOTICE REQUIREMENTS; AND TO REPEAL SECTION 40-47-197 RELATING TO THE SUPERVISION OF CRNAS.

Rep. HIOTT moved to commit the Bill to the Committee on Labor, Commerce and Industry.

Rep. HILL moved to table the motion.

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

Yeas 24; Nays 68

Those who voted in the affirmative are:

Collins	Dillard	Felder
Gagnon	Garvin	Gilliard
Hart	Henderson-Myers	Hill
Hosey	Howard	K. O. Johnson
Jones	Lowe	Magnuson
Matthews	May	Morgan

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B. Newton	Ott	Rose
Rutherford	Tedder	Thigpen

Total--24

Those who voted in the negative are:

Bailey	Ballentine	Bannister
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	B. Cox	W. Cox
Crawford	Dabney	Elliott
Finlay	Forrest	Fry
Haddon	Hardee	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
Jordan	Ligon	Long
Lucas	McCabe	McCravy
McGinnis	McKnight	J. Moore
T. Moore	D. C. Moss	V. S. Moss
Murray	W. Newton	Nutt
Oremus	Pendarvis	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Thayer	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	

Total--68

So, the House refused to table the motion.

The question then recurred to the motion to commit the Bill to the Labor, Commerce, and Industry Committee.

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

Yeas 60; Nays 31

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Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bradley	Brittain
Bryant	Bustos	Calhoon
Caskey	Chumley	B. Cox
W. Cox	Crawford	Dabney
Elliott	Finlay	Forrest
Fry	Gatch	Haddon
Hardee	Hayes	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jordan
Ligon	Long	Lucas
McCabe	McCravy	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	W. Newton
Nutt	Oremus	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Thayer	Trantham
Weeks	West	Wheeler
White	Whitmire	Wooten

Total--60

Those who voted in the negative are:

Carter	Collins	Dillard
Felder	Gagnon	Garvin
Gilliard	Henderson-Myers	Henegan
Hill	Hosey	Howard
Jefferson	J. L. Johnson	Jones
King	Lowe	Magnuson
Matthews	May	McDaniel
Murray	B. Newton	Ott
Robinson	Rose	Rutherford
Tedder	Thigpen	R. Williams
Willis		

Total--31

So, the Bill was committed.

[HJ]

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POINT OF ORDER

Rep. HART raised the Point of Order that the motion to commit H. 3682 to the Labor Commerce & Industry Committee was out of order. He stated that the Labor Commerce & Industry Committee did not have appropriate subject matter jurisdiction over of the Bill and that the motion to commit was improper.

SPEAKER *PRO TEMPORE* POPE stated that H. 3682 had originally been referred to the Medical Military Public & Municipal Affairs Committee, but the House had voted, pursuant to House Rule 4.8, to commit the bill to the Labor Commerce & Industry Committee. He stated that Rule 4.8 allowed the House to commit or recommit any bill before final decision. He overruled the Point of Order.

RECURRENCE TO THE MORNING HOUR

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

HOUSE RESOLUTION

The following was introduced:

H. 5187 -- Reps. Nutt, 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, 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, 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 WEDNESDAY, MARCH 30, 2022, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" THROUGHOUT THE STATE AND TO RECOGNIZE THE

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**IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP
OF PROFESSIONALS TO THE PALMETTO STATE.**

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5188 -- Reps. Nutt, Allison, Chumley, Henderson-Myers, Hyde, Long, Magnuson, T. Moore, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Lowe, Lucas, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, 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 RECOGNIZE AND CONGRATULATE THE SOUTH CAROLINA SCHOOL FOR THE DEAF AND BLIND IN SPARTANBURG FOR ITS REMARKABLE WORK IN THE FIELD OF EDUCATION BENEFITING STUDENTS FROM ACROSS THE ENTIRE STATE OF SOUTH CAROLINA AND BEYOND WHO ARE DEAF OR BLIND OR HAVE MULTI-SENSORY DISABILITY THROUGH ITS ON-CAMPUS AND OUTREACH PROGRAMS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5189 -- Reps. Gilliard, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter,

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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, 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 RECOGNIZE AND CELEBRATE CHAMPION TENNIS HALL OF FAME AND GOLF TRAILBLAZER ALTHEA GIBSON, A NATIVE OF CLARENDON COUNTY, FOR HER OUTSTANDING ACHIEVEMENTS IN THE WORLD OF PROFESSIONAL SPORTS, EDUCATION, AND ENTERTAINMENT.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5190 -- Reps. Matthews, 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, Lucas, Magnuson, 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,

[HJ]

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R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR AMPLIFY ACTION FOR ITS VISION TO ENGAGE BLACK AND AFRICAN AMERICAN PEOPLE ACROSS FIVE SOUTHERN STATES IN CIVIC PARTICIPATION.

The Resolution was adopted.

STATEMENT FOR JOURNAL

On March 30, 2022, H. 5190, a House Resolution recognizing and honoring Amplify Action, was introduced and adopted by the Body. At the time it was read across the Desk, a motion was made to add the roll of the House which was not objected to. It has been brought to our attention that this organization is not a bipartisan organization as stated in the resolution and had we known this, we would have objected to the motion and our names would not have been added. Since this Resolution has already been adopted by the House, the Rules prohibit us from removing our names as cosponsors at this time.

Rep. Crawford	Rep. Bailey	Rep. Hyde
Rep. Gatch	Rep. J.E. Johnson	Rep. Bennett
Rep. Sandifer	Rep. Herbkersman	Rep. Elliott
Rep. Davis	Rep. Bradley	Rep. Bustos
Rep. Lowe	Rep. Long	Rep. B. Newton
Rep. Hardee	Rep. Burns	Rep. McCabe
Rep. Brittain	Rep. Haddon	Rep. Calhoon
Rep. West	Rep. Allison	Rep. M.M. Smith
Rep. Thayer	Rep. Collins	Rep. May
Rep. W. Cox	Rep. Taylor	Rep. McGarry
Rep. White	Rep. Simrill	Rep. V.S. Moss
Rep. Daning	Rep. Wooten	Rep. Willis
Rep. McGinnis	Rep. G.M. Smith	Rep. Ballentine
Rep. Whitmire	Rep. Huggins	Rep. Bryant
Rep. Bannister	Rep. Oremus	Rep. D.C. Moss
Rep. Fry	Rep. Blackwell	Rep. Jones
Rep. Trantham	Rep. Felder	Rep. McCravy
Rep. Caskey	Rep. Ligon	Rep. Gagnon
Rep. Yow	Rep. Magnuson	Rep. G.R. Smith
Rep. Gilliam	Rep. Nutt	Rep. Erickson
Rep. Hewitt	Rep. T. Moore	Rep. Forrest
Rep. W. Newton	Rep. B. Cox	

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INTRODUCTION OF BILL

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

H. 5186 -- Rep. Calhoon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-152-22 SO AS TO PROVIDE FOR A DIRECTOR TO SERVE AS CHIEF EXECUTIVE OFFICER AND ADMINISTRATIVE HEAD OF FIRST STEPS TO SCHOOL READINESS AND TO PROVIDE REQUIREMENTS FOR THE DIRECTOR; BY ADDING SECTION 59-152-55 SO AS TO PROVIDE THE DIRECTOR MAY FORM AND CONTRACT WITH A PRIVATE NONPROFIT FOUNDATION TO FINANCIALLY SUPPORT THE EFFORTS OF FIRST STEPS, AMONG OTHER THINGS; TO AMEND SECTION 59-152-10, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, SO AS TO DESIGNATE IT AS AN AGENCY INSTEAD OF AN INITIATIVE, TO ELIMINATE LOCAL PARTNERSHIPS, AND TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE AGENCY AND ITS DIRECTOR; TO AMEND SECTION 59-152-20, RELATING TO THE PURPOSE OF FIRST STEPS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-152-25, RELATING TO DEFINITIONS CONCERNING FIRST STEPS, SO AS TO REVISE NECESSARY DEFINITIONS; TO AMEND SECTION 59-152-30, RELATING TO THE GOALS FOR FIRST STEPS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-152-32, RELATING TO THE LONG-RANGE INITIATIVE OF FIRST STEPS, SO AS TO MAKE CONFORMING CHANGES AND REMOVE OBSOLETE LANGUAGE; TO AMEND SECTION 59-152-33, RELATING TO THE ROLE OF THE DEPARTMENT IN THE SCHOOL READINESS ASSESSMENT, SO AS TO MAKE CONFORMING CHANGES AND REMOVE OBSOLETE LANGUAGE; TO AMEND SECTION 59-152-40, RELATING TO OVERSIGHT OF FIRST STEPS BY A BOARD OF TRUSTEES, SO AS TO ELIMINATE THIS OVERSIGHT AND PROVIDE THE EARLY CHILDHOOD ADVISORY COUNCIL SHALL SERVE AS AN ADVISORY BOARD TO THE DEPARTMENT AND TO PROVIDE RELATED DUTIES OF THE COUNCIL; TO AMEND SECTION 59-152-50, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS AND RELATED DUTIES, SO AS TO ELIMINATE THE EXISTING PROVISIONS AND PROVIDE

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DUTIES OF THE DEPARTMENT; TO AMEND SECTION 59-152-60, RELATING TO THE CREATION, FUNCTION, AND DUTIES OF LOCAL FIRST STEPS PARTNERSHIP BOARDS, SO AS TO ELIMINATE THE EXISTING PROVISIONS AND ESTABLISH REGIONAL FIRST STEPS OFFICES, TO SPECIFY THE MEMBERSHIP OF EACH REGION, AND TO PROVIDE RELATED DUTIES OF THE DIRECTOR; TO AMEND SECTION 59-152-70, RELATING TO THE POWERS AND DUTIES OF LOCAL FIRST STEPS PARTNERSHIPS, SO AS TO PROVIDE FOR THE CREATION OF ADVISORY BOARDS FOR EACH REGIONAL OFFICE, TO PROVIDE REQUIREMENTS CONCERNING THE COMPOSITION OF THE ADVISORY BOARDS, AND TO PROVIDE ADVISORY BOARD MEMBERS ARE NOT ENTITLED TO PER DIEM OR COMPENSATION; TO REPEAL ARTICLE 17 OF CHAPTER 11, TITLE 63 RELATING TO THE FIRST STEPS TO SCHOOL READINESS BOARD OF TRUSTEES; TO REPEAL SECTION 59-152-90 RELATING TO LOCAL PARTNERSHIP GRANT FUNDING PROCEDURES; TO REPEAL SECTION 59-152-100 RELATING TO LOCAL PARTNERSHIP GRANT USE REQUIREMENTS; TO REPEAL SECTION 59-152-120 RELATING TO LOCAL PARTNERSHIP GRANT FUNDING USE RESTRICTIONS; TO REPEAL SECTION 59-152-130 RELATING TO LOCAL PARTNERSHIP MATCHING FUNDS; TO REPEAL SECTION 59-152-140 RELATING TO CARRY FORWARD FUNDS; TO REPEAL SECTION 59-152-150 RELATING TO FISCAL ACCOUNTABILITY MEASURES FOR LOCAL PARTNERSHIPS; AND TO REPEAL SECTION 59-152-160 RELATING TO INTERNAL EVALUATION POLICIES AND PROCEDURES.

Referred to Committee on Education and Public Works

Rep. COBB-HUNTER 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. 5081 -- Reps. Simrill, Cobb-Hunter and Finlay: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 6, 2022, AS "HIGHER EDUCATION DAY" IN SOUTH CAROLINA.

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H. 5171 -- Reps. R. Williams, 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, 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, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. ABEL BARTLEY FOR HIS DEDICATION TO IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION AND TO CONGRATULATE HIM FOR RECEIVING THE JANNIE HARRIOT FOUNDERS AWARD FOR HIS UNWAVERING COMMITMENT TO THE GROWTH AND SUSTAINABILITY OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

H. 5172 -- Reps. R. Williams, 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, 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,

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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, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. BOBBY DONALDSON FOR HIS DEDICATION TO IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION AND TO CONGRATULATE HIM ON RECEIVING THE JANNIE HARRIOT FOUNDERS AWARD FOR HIS UNWAVERING COMMITMENT TO THE GROWTH AND SUSTAINABILITY OF THE COMMISSION.

H. 5170 -- Reps. Hart, Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, 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 CELEBRATE THE BEN LIPPEN SCHOOL VARSITY COMPETITIVE CHEERLEADING TEAM ON CAPTURING THE 2021 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 3A STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE TEAM AND ITS COACHES ON A SCINTILLATING SEASON.

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ADJOURNMENT

At 1:52 p.m. the House, in accordance with the motion of Rep. HERBKERSMAN, adjourned in memory of Thomas Hatfield, to meet at 10:00 a.m. tomorrow.

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H. 3010	2	H. 5081	71
H. 3205	1	H. 5113	2
H. 3252	11	H. 5134	11
H. 3346	22	H. 5137	12
H. 3682	12, 63, 66	H. 5138	15
H. 3696	22	H. 5139	18
H. 3775	18	H. 5143	12
H. 3938	11, 23	H. 5144	12
H. 3958	24, 25	H. 5159	19
H. 4046	12	H. 5170	72
H. 4220	28	H. 5171	71
H. 4538	18	H. 5172	71
H. 4568	4	H. 5181	5
H. 4772	11	H. 5182	7
H. 4776	50, 51, 58, 59	H. 5183	7, 8
H. 4776	60, 61, 62	H. 5184	4
H. 4834	18	H. 5185	6
H. 4848	11	H. 5186	69
H. 4879	24	H. 5187	66
H. 4889	17	H. 5188	67
H. 4978	11	H. 5189	67
H. 4997	31	H. 5190	68
H. 4998	33, 35, 36, 40		
H. 4998	46, 47	S. 1090	23
H. 5000	2, 11	S. 1157	16
H. 5036	17	S. 1167	20