

NO. 56

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, MAY 5, 2022
(STATEWIDE SESSION)

Thursday, May 5, 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 9:16: “The Lord has made himself known, He has executed judgement; the wicked are snared in the work of their own hands.”

Let us pray. Almighty and Gracious God, You have filled us with the words of Your mouth. Bring us forth to acknowledge and practice Your love so that we may care for those that we represent. Bring us all to the fulfillment of Your desires in our service to these, Your people. Bless our defenders of freedom and first responders as they care for and protect us. May Your face shine on our World, Nation, President, State, Governor, Speaker, Staff, and all who help fulfill the needs of this great State. Remember our men and women who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

ROLL CALL

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

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

THURSDAY, MAY 5, 2022

Davis	Dillard	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Garvin
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
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	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	Stavrakis	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total Present--117

STATEMENT OF ATTENDANCE

Rep. MURPHY signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, May 4.

LEAVE OF ABSENCE

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

THURSDAY, MAY 5, 2022

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. Jasjot Bhullar of Greenville/Spartanburg was the Doctor of the Day for the General Assembly.

LEAVE OF ABSENCE

The SPEAKER granted Rep. B. COX a temporary leave of absence.

**S. 449 -- MOTION TO RECONSIDER TABLED, AMENDED,
READ THIRD TIME AND RETURNED TO THE SENATE
WITH AMENDMENTS**

Rep. HIXON moved to table the motion to reconsider whereby the following Bill was given second reading, which was agreed to:

S. 449 -- Senator Young: A BILL TO AMEND SECTION 2 OF ACT 926 OF 1962, RELATING TO THE MEMBERSHIP OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL EDUCATION, TO ADD TWO NONVOTING MEMBERS.

Reps. HIXON, TAYLOR, BLACKWELL, CLYBURN and OREMUS proposed the following Amendment No. 1 to S. 449 (COUNCIL\WAB\449C001. RT.WAB22), which was adopted:

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

/ SECTION __. Section 31-12-40(C) of the 1976 Code is amended to read:

“(C) For the Savannah River Site Redevelopment Authority or if the federal property subject to disposal is contained within more than one county, with no portion of the counties lying within an MSA which extends over more than one South Carolina county, the authority must include:

(1) two representatives of the State nominated by a majority of the Senate and a majority of the House, who must be appointed by the Governor;

(2) two representatives of each county appointed by the respective county governing body;

THURSDAY, MAY 5, 2022

(3) two representatives of each municipality in which the municipality's boundaries contain all or a portion of the federal defense properties scheduled for disposal, appointed by the respective municipal governing body; and

(4) one at-large appointment by the Governor, who shall be a resident of one of the counties." /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Erickson	Felder	Finlay
Forrest	Fry	Garvin
Gilliam	Gilliard	Govan
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kirby
Ligon	Long	Lowe
Lucas	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight

[HJ]

THURSDAY, MAY 5, 2022

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

Total--103

Those who voted in the negative are:
Hill

Total--1

The Bill was read the third time and ordered returned to the Senate with amendments.

H. 5339--SENT TO THE SENATE

The following Bill was taken up:

H. 5339 -- Reps. Lowe, R. Williams, Jordan, Kirby and Alexander: A BILL TO PROVIDE, AMONG OTHER THINGS, THAT PURSUANT TO THE STATE SUPERINTENDENT OF EDUCATION'S EMERGENCY DECLARATION AND MANDATORY CONSOLIDATION OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR, THE RESULTING CONSOLIDATED SCHOOL DISTRICT MUST BE KNOWN AS FLORENCE COUNTY SCHOOL DISTRICT ONE; TO PROVIDE THAT BEGINNING JULY 1, 2022, FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE GOVERNED INITIALLY BY A NINE-MEMBER BOARD OF TRUSTEES TO BE APPOINTED BY A MAJORITY OF THE FLORENCE COUNTY LEGISLATIVE DELEGATION; TO ESTABLISH AND REAPPORTION NINE SINGLE-MEMBER ELECTION DISTRICTS FROM THE COMBINED GEOGRAPHIC AREA OF FLORENCE COUNTY

[HJ]

THURSDAY, MAY 5, 2022

SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR FROM WHICH, BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, THE GOVERNING BODY OF FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE ELECTED; TO PROVIDE THAT THE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT ONE BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER AS NECESSARY TO STAGGER THE MEMBERS' TERMS; TO PROVIDE FOR A FLORENCE COUNTY SCHOOL DISTRICT ONE MAP THAT DELINEATES THE NINE SINGLE-MEMBER ELECTION DISTRICTS; AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE NINE SINGLE-MEMBER ELECTION DISTRICTS.

The Bill was read the third time and ordered sent to the Senate.

ORDERED ENROLLED FOR RATIFICATION

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

S. 1292 -- Senator Fanning: A BILL TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF FAIRFIELD COUNTY, SO AS TO REVISE THE BOUNDARIES OF THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF FAIRFIELD COUNTY ARE ELECTED.

S. 1264--ORDERED TO THIRD READING

The following Bill was taken up:

S. 1264 -- Senator Hutto: A BILL TO AMEND ACT 184 OF 2020, AS AMENDED, RELATING TO THE CONSOLIDATION OF HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE HAMPTON COUNTY

THURSDAY, MAY 5, 2022

SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.

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	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kirby	Ligon
Long	Lowe	Lucas
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Rivers	Robinson	Sandifer
Simrill	G. M. Smith	G. R. Smith

[HJ]

THURSDAY, MAY 5, 2022

M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten

Total--105

Those who voted in the negative are:

Total--0

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

**S. 1264--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. RIVERS, with unanimous consent, it was ordered that S. 1264 be read the third time tomorrow.

STATEMENT BY REP. B. NEWTON

REP. B. NEWTON made a statement relative to Rep. MCGARRY'S service in the House.

STATEMENT BY REP. MCGARRY

Rep. MCGARRY made a statement relative to her service in the House.

LEAVE OF ABSENCE

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

RETURNED TO THE SENATE WITH AMENDMENTS

The following Bills and Joint Resolutions were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 1103 -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander, Gambrell, Setzler and Malloy: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING

THURSDAY, MAY 5, 2022

SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.

S. 946 -- Senator Goldfinch: A BILL TO AMEND SECTION 59-5-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTY-FREE LUNCH PERIODS FOR PUBLIC ELEMENTARY SCHOOL TEACHERS, SO AS TO INSTEAD PROVIDE UNENCUMBERED TIME FOR ELEMENTARY SCHOOL TEACHERS AND TEACHERS WHO INSTRUCT CERTAIN STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, AND TO PROVIDE RELATED REQUIREMENTS OF STATE BOARD OF EDUCATION POLICIES AND LOCAL SCHOOL BOARDS; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE

THURSDAY, MAY 5, 2022

GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

H. 5252--SENT TO THE SENATE

The following Joint Resolution was taken up:

H. 5252 -- Reps. Sandifer and G. M. Smith: A JOINT RESOLUTION TO ENCOURAGE ECONOMIC GROWTH IN SOUTH CAROLINA THROUGH THE ESTABLISHMENT OF COMPETITIVE ELECTRIC RATES, TERMS, AND CONDITIONS FOR CERTAIN QUALIFYING COMMERCIAL AND INDUSTRIAL CUSTOMERS SEEKING TO LOCATE IN SOUTH CAROLINA; TO ENABLE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA TO CONSIDER QUANTIFIABLE NET BENEFITS TO UTILITY CUSTOMERS DUE TO ECONOMIC DEVELOPMENT WHEN SETTING JUST AND REASONABLE RATES; AND TO PROVIDE AN EXPEDITIOUS PROCESS FOR AN ELECTRICAL UTILITY TO OFFER PRICING TO THE SOUTH CAROLINA DEPARTMENT OF COMMERCE FOR POTENTIAL ECONOMIC DEVELOPMENT PROSPECTS.

POINT OF ORDER

Rep. HILL raised the Point of Order under Rule 10.3.1.C that the Joint Resolution was improperly before the body because it included

[HJ]

THURSDAY, MAY 5, 2022

permanent provisions of law and should have been introduced as a Bill as defined by the House Rules.

The SPEAKER overruled the Point of Order and stated that the legislation met all constitutional requirements and that the rule cited was a definition and not a requirement for enacting legislation.

The Joint Resolution was read the third time and ordered sent to the Senate.

H.S. 908--RECONSIDERED

Rep. RUTHERFORD moved to reconsider the vote whereby the following Bill was given second reading, which was agreed to:

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

ORDERED ENROLLED FOR RATIFICATION

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

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

S. 637 -- Senator Cromer: A BILL TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE MORTGAGE LENDING LAWS OF THIS STATE SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON"; AND TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS APPLICABLE TO THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO ESTABLISH CERTAIN

THURSDAY, MAY 5, 2022

CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON".

S. 934 -- Senator Davis: A BILL TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

S. 635 -- Senators Setzler and Scott: A BILL TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT TWO ADDITIONAL MEMBERS WHO ARE NOT REQUIRED TO BE TRUSTEES AT THE TIME OF THEIR ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

[HJ]

THURSDAY, MAY 5, 2022

H.S. 1178--RECONSIDERED

Rep. B. NEWTON moved to reconsider the vote whereby the following Bill was given second reading, which was agreed to:

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

SPEAKER *PRO TEMPORE* IN CHAIR

S. 222--ORDERED TO THIRD READING

The following Bill was taken up:

S. 222 -- Senators Shealy, McLeod, Hutto, Jackson, Matthews, Gustafson, K. Johnson and McElveen: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE NECESSARY TERMS.

Rep. BRAWLEY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

THURSDAY, MAY 5, 2022

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	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	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	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--111

THURSDAY, MAY 5, 2022

Those who voted in the negative are:

Total--0

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

S. 222--ORDERED TO BE READ THIRD TIME TOMORROW

On motion of Rep. BRAWLEY, with unanimous consent, it was ordered that S. 222 be read the third time tomorrow.

S. 236--DEBATE ADJOURNED

The following Bill was taken up:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

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

S. 460--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND

[HJ]

THURSDAY, MAY 5, 2022

SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976

[HJ]

THURSDAY, MAY 5, 2022

CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

Rep. WHITE proposed the following Amendment No. 1 to S. 460 (COUNCIL\CM\460C001.GT.CM22), which was adopted:

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

/ SECTION __. Section 23-9-25 of the 1976 Code is amended to read:

“Section 23-9-25. (A) It is the purpose of this section to create the ‘Volunteer Strategic Assistance and Fire Equipment Program’ (V-SAFE) within the Division of State Fire Marshal.

(B) This section is contingent upon the General Assembly appropriating funds for the offering of grants ~~of not more than thirty thousand dollars~~ to eligible volunteer and combination fire departments for the purpose of protecting local communities and regional response areas from incidents of fire, hazardous materials, terrorism, and to provide for the safety of volunteer firefighters.

(C)(1) As contained in this section:

(a) ~~‘chartered~~ Fire department’ means a public or governmental sponsored organization providing fire suppression activities with a minimum of a Class 9 rating from the Insurance Services Office;

(b) ~~‘chartered~~ Volunteer fire department’ means a fire department whose personnel serve for no compensation or are paid on a per-call basis; and

(c) ~~‘chartered~~ Combination fire department’ means a fire department with both members who are paid and members who serve as volunteer firefighters.

(2) ~~Chartered~~ Volunteer fire departments and ~~chartered~~ combination fire departments with a staffing level that is at least fifty percent volunteer are eligible to receive grants pursuant to this section. A ~~chartered~~ fire department that receives a grant must comply with the firefighter registration provisions of Act 60 of 2001 and sign the statewide mutual aid agreement with the South Carolina Emergency Management Division.

(D) ~~The amount of the grants awarded shall not exceed thirty thousand dollars per year for each eligible chartered fire department, with no matching or in kind money required. A chartered~~ An eligible fire department may be awarded only one grant ~~in a three-year period~~ annually.

THURSDAY, MAY 5, 2022

(E) The grant money received by a ~~chartered~~ fire department must be used for the following purposes:

- (1) fire suppression equipment;
- (2) self-contained breathing apparatus;
- (3) portable air refilling systems;
- (4) hazardous materials spill leak detection, repair, and recovery equipment;
- (5) protective clothing and equipment;
- (6) new and used fire apparatus;
- (7) ~~incident command vehicles~~ emergency response vehicles;
- ~~(8) special operations vehicles~~;
- ~~(9)~~(8) training;
- ~~(10)~~(9) rescue equipment;
- ~~(11)~~(10) medical equipment;
- ~~(12)~~(11) decontamination equipment; ~~and~~
- ~~(13)~~(12) safety equipment;
- (13) real properties or improvements thereto including upgrades and rehabilitations; and
- (14) communications equipment.

(F)(1) The State Fire Marshal shall administer the grants in conjunction with a peer-review panel.

(2) The peer-review panel shall consist of nine voting members who shall serve without compensation. Seven members must be fire chiefs from each of the seven regions of the State as defined by the State Fire Marshal. The Chairman of the House Ways and Means Committee shall appoint fire chiefs from Regions 1, 2, and 7. The Chairman of the Senate Finance Committee shall appoint fire chiefs from Regions 3, 4, and 6. The Governor shall appoint one fire chief from Region 5 and one fire chief from the State at large. The State Fire Marshal also shall serve as a member. The President of the South Carolina State Firefighters' Association shall serve as a nonvoting member and chairman of the committee. The peer-review panel shall act as an oversight panel and act to ensure compliance, relevance, and adherence to the prescribed intent of the grants as set forth in this section.

(3) An applicant for grant money must submit justification for their project that provides details regarding the project and the project's budget, ~~the benefits to be derived from the project, the applicant's financial need, and how the project would affect the applicant's daily operations in protecting lives and property within their community. Each application must be judged on its own merit. The panelists must consider all expenses budgeted, including administrative or indirect costs, as part~~

THURSDAY, MAY 5, 2022

~~of the cost benefit review. An applicant may demonstrate cost benefit by describing, as applicable, how the grant award will:~~

~~(a) enhance a regional approach that is consistent with current capabilities and requests of neighboring organizations or otherwise benefits other organizations in the region;~~

~~(b) implement interoperable communications capabilities with other local, state, and federal first responders and other organizations;~~

~~(c) allow first responder organizations to respond to all hazards, including incidents involving seismic, atmospheric, or technological events, or chemical, biological, radiological, nuclear, or explosive incidents, as well as fire prevention and suppression.~~

~~Applications that best address the grant funding priorities shall score higher than applications that are inconsistent with the priorities. During the panel review process, panelists shall provide a subjective but qualitative judgment on the merit of each request.~~

~~Panelists shall evaluate and score the proposed project's clarity, including the project's budget detail, the organization's financial need, the benefits that would result from an award relative to the cost, and the extent to which the grant would enhance daily operations or how the grant will positively impact an organization's ability to protect life and property. Each element shall be equally important for purposes of the panelists' scores. Panelists must review each application in its entirety and rate the application according to the evaluation criteria.~~

~~Applications shall be evaluated by the panelists relative to the critical infrastructure within the applicant's area of first due response. Critical infrastructure includes any system or asset that, if attacked or impacted by a hazardous event, would result in catastrophic loss of life or catastrophic economic loss. Critical infrastructure includes public water or power systems, major business centers, chemical facilities, nuclear power plants, major rail and highway bridges, petroleum and natural gas transmission pipelines or storage facilities, telecommunications facilities, or facilities that support large public gatherings such as sporting events or concerts. Panelists shall assess the infrastructure and the hazards confronting the community to determine the benefits to be realized from a grant to the applicant.~~

~~Applicants that falsify their application, or misrepresent their organization in any material manner, shall have their applications deemed ineligible and referred to the Attorney General for further action, as the Attorney General deems appropriate.~~

THURSDAY, MAY 5, 2022

(4) The project period for any award grant shall be twelve months from the date of the award. Any equipment purchased with the grant must meet all mandatory regulatory requirements, as well as, all state, national, and Department of Homeland Security adopted standards.

Award recipients must agree to:

(a) perform, within the designated period of performance, all approved tasks as outlined in the application;

(b) retain grant files and supporting documentation for three years after the conclusion and close out of the grant or any audit subsequent to close out;

(c) ensure all procurement actions are conducted in a manner that provides, to the maximum extent possible, open and free competition. In doing so, the recipient must follow its established procurement law when purchasing vehicles, equipment, and services with the grant. If possible, the recipient must obtain at least two quotes or bids for the items being procured and document the process used in the grant files. Sole-source purchasing is not an acceptable procurement method except in circumstances allowed by law;

(d) submit a performance report to the peer-review panel six months after the grant is awarded. If a grant's period of performance is extended for any reason, the recipient must submit performance reports every six months until the grant is closed out. At grant closeout, the recipient must report how the grant funding was used and the benefits realized from the award in a detailed final report. An accounting of the funds also must be included; and

(e) Any fire department that fails to submit the required progress and close-out reports shall be deemed ineligible for future grants until the required reports are submitted and for a period of not less than one grant cycle. Any fire department that is found to have fraudulently expended funds or misrepresented how the funds were utilized will be referred to the Attorney General for further action.

(f) make grant files, books, and records available, if requested by any person, for inspection to ensure compliance with any requirement of the grant program.

(5) A recipient that completes the approved scope of work prior to the end of the performance period, and still has grant funds available, may:

(a) use the greater of one percent of their award amount or three hundred dollars to continue or expand, the activities for which they

THURSDAY, MAY 5, 2022

received the award without submitting an application to amend the grant request;

(b) use excess funds to create or expand, a fire or injury prevention program. Excess funds above the amounts discussed in subitem (a) must be used for fire or injury prevention activities or returned to the program. In order to use excess funds for fire or injury prevention activities, a recipient must submit an amendment to its grant. The amendment request must explain fire or injury prevention efforts currently underway within the organization, where the use of excess funds would fit within the existing efforts, the target audience for the fire or injury prevention project and how this audience was identified, and how the effectiveness of the requested fire or injury prevention project will be evaluated;

(c) use a combination of subitems (a) and (b); ~~or~~

(d) submit an application to the peer-review panel to amend the grant request to redirect funds to another eligible project; or

(e) return excess funds to the program. To return the excess funds, a recipient must close out its award and state in the final performance report that the remaining funds are not necessary for the fulfillment of grant obligations. The recipient also must indicate that it understands that the funds will be unavailable for future expenses.

(6) The State Fire Marshal shall:

(a) develop a grant application package utilizing the established guidelines;

(b) establish and market a written and electronic version of the grant application package;

(c) provide an annual report of all grant awards and corresponding chartered fire department purchases to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor;

(d) provide all administrative support to the peer-review panel; ~~and~~

(e) provide a grants web page for electronic applications; and

(f) determine the annual maximum amount of grant funding an eligible fire department may receive based on the total amount of grant funding received divided by the total number of eligible fire departments.

(G) Two percent of these funds may be awarded to the South Carolina State Firefighters' Association annually for the express purpose of establishing and maintaining a recruitment and retention program for

THURSDAY, MAY 5, 2022

volunteer firefighters. The association must apply for the grant to the peer-review panel.

(H) Up to three percent of these funds must be retained by the State Fire Marshal for the express purpose of funding costs associated with the administration of the program.

(I) The State Fire Marshal has the authority to receive and distribute to eligible fire departments all grant funds according to this section.

(J) Grant funds that are not distributed may be carried forward to the next fiscal year to be used for the same purposes.” /

Re-number sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

Rep. JEFFERSON explained the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Garvin
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins

[HJ]

THURSDAY, MAY 5, 2022

Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Rivers	Robinson	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--108

Those who voted in the negative are:

Total--0

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

STATEMENT FOR THE JOURNAL

I voted to give S. 460 second reading in the House of Representatives as it implements numerous recommendations from the House Legislative Oversight Committee's 2019 study of the Department of Labor, Licensing and Regulation.

Rep. Wm. Weston J. Newton

OBJECTION TO MOTION

Rep. JEFFERSON asked unanimous consent that S. 460 be read a third time tomorrow.

Rep. WHITE objected.

THURSDAY, MAY 5, 2022

S. 908--AMENDED AND DEBATE INTERRUPTED

The following Bill was taken up:

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

Reps. YOW and RUTHERFORD proposed the following Amendment No. 1 to S. 908 (COUNCIL\SA\908C001.JN.SA22), which was adopted:

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

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

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

(1) ‘Utility Terrain Vehicle’ (UTV) means a side-by-side, four-wheel drive, off-road vehicle intended to transport individuals, cargo, or both with a top speed over thirty-five miles per hour; a motor vehicle of at least four hundred and fifty cubic centimeters; eighty inches or less in overall width; designed to travel on four or more wheels, two or four tracks, or combinations of four or more tracks and wheels; using a steering wheel for steering control; with a nonstraddle seat; and with a Gross Vehicle Weight Rating of no more than four thousand pounds; and

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

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

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

THURSDAY, MAY 5, 2022

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

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

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

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

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

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

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

(1) the license plate and registration certificate issued by the department;

(2) proof of liability insurance for the UTV; and

(3) his driver's license.

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

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

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

THURSDAY, MAY 5, 2022

(J) Drivers and passengers in a registered UTV who are under the age of eighteen must wear the protective gear described in Sections 56-5-3660 and 56-5-3670.

(K) A registered UTV must be equipped with:

(1) a Type 2 seat belt assembly conforming to 49 C.F.R. 571.209 installed at each designated seating position; and

(2) operable headlights, brake lights, taillights, and turn signals.

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

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

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

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

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

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

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

THURSDAY, MAY 5, 2022

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

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

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

(iv) motorcycles; and

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

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

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

Rep. RUTHERFORD explained the Bill.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of the Bill.

SPEAKER IN CHAIR

RECURRENCE TO THE MORNING HOUR

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

STATEMENT BY REP. POPE

REP. POPE made a statement relative to Rep. BRYANT'S service in the House.

STATEMENT BY REP. BRYANT

Rep. BRYANT made a statement relative to his service in the House.

THURSDAY, MAY 5, 2022

S. 236--DEBATE ADJOURNED

The following Bill was taken up:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

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

S. 908--AMENDED AND ORDERED TO THIRD READING

Debate was resumed on the following Bill, the pending question being the consideration of the Bill:

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

Rep. RUTHERFORD proposed the following Amendment No. 2 to S. 908 (COUNCIL\SA\908C002.JN.SA22), which was adopted:

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

/ SECTION __.A. Section 16-17-680 of the 1976 Code, as last amended by Act 80 of 2021, is further amended to read:

“Section 16-17-680. (A) For purposes of this section:

(1) ‘Coil’ means a copper, aluminum, or aluminum-copper condensing coil or evaporation coil. The term includes, but is not limited to, coil from a commercial or residential heating or air-conditioning

THURSDAY, MAY 5, 2022

system. The term does not include coil from a window air-conditioning system, if the coil is contained within the system, or coil from an automobile condenser.

(2) 'Fixed site' means a site occupied by a secondary metals recycler as the owner of the site or as a lessee of the site under a lease or other rental agreement providing for occupation of the site by a secondary metals recycler for a total duration of not less than three hundred sixty-four days.

(3) 'Nonferrous metals' means metals not containing significant quantities of iron or steel; including, but not limited to, copper wire, cooper clad steel wire, copper pipe, copper bars, copper sheeting, aluminum other than aluminum cans, a product that is a mixture of aluminum and copper, catalytic converters, lead-acid batteries, steel propane gas tanks, and stainless steel beer kegs or containers.

(4) 'Secondary metals recycler' means a person or entity who is engaged, from a fixed site or otherwise, in the business of paying compensation for nonferrous metals that have served their original economic purpose, whether or not the person is engaged in the business of performing the manufacturing process by which nonferrous metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value.

(B)(1) A secondary metals recycler shall obtain a permit to purchase nonferrous metals. A secondary metals recycler's employee is not required to obtain a separate permit to purchase nonferrous metals provided that the employee is acting within the scope and duties of their employment with the secondary metals recycler. A secondary metals recycler's employee who intends to purchase nonferrous metals on behalf of the secondary metals recycler at a location other than a fixed site shall have a copy of the secondary metals recycler's permit readily available for inspection. There is a presumption that an employee or agent of a secondary metals recycler who violates the provisions of this section is engaging in activity outside the normal course and scope of his employment. A secondary metals recycler employer or owner may not be criminally charged under this subsection for illegal activities of an employee or agent absent evidence the secondary metals recycler employer or owner knew or should have known the employee or agent was conducting illegal activity to benefit the secondary metals recycler employer or owner.

(2) If a secondary metals recycler intends to purchase nonferrous metals at a fixed site or fixed sites, the secondary metals recycler shall obtain a permit from the sheriff of the county in which

THURSDAY, MAY 5, 2022

each of the secondary metals recycler's fixed sites are located. The sheriff ~~may~~ must issue the permit to the secondary metals recycler, if the secondary metals recycler:

(a) has a fixed site or fixed sites located in the sheriff's county;

(b) has not been convicted of a violation of Section 16-11-523 or this section; and

(c) declares on an application provided by the sheriff that the secondary metals recycler is informed of and will comply with the provisions of this section.

(3) If a secondary metals recycler intends to purchase nonferrous metals at a location other than a fixed site, the secondary metals recycler shall obtain a permit from the sheriff of each county in which the secondary metals recycler intends to purchase nonferrous metals. The sheriff ~~may~~ must issue the permit to the secondary metals recycler if the secondary metals recycler:

(a) ~~can sufficiently demonstrate to the sheriff the secondary metals recycler's ability to comply with the provisions of this section;~~

~~(b)~~ has not been convicted of a violation of Section 16-11-523 or this section; and

~~(c)~~(b) declares on an application provided by the sheriff that the secondary metals recycler is informed of and will comply with the provisions of this section.

(4) The South Carolina Law Enforcement Division shall develop the application and permit in consultation with the state's sheriffs and representatives from the secondary metals recyclers' industry.

(5) A sheriff may investigate a secondary metals recycler's background prior to issuing a permit for purposes of determining if the secondary metals recycler qualifies to be issued a permit.

(6) A sheriff may charge and retain a two hundred dollar fee for each permit.

(7) A sheriff shall keep a record of all permits issued containing, at a minimum, the date of issuance, and the name and address of the secondary metals recycler.

(8) A permit is valid for twenty-four months.

(9) A permit may be denied, suspended, or revoked at any time if a sheriff discovers that the information on an application is intentionally inaccurate, a secondary metals recycler does not comply with the requirements of this section, or a secondary metals recycler is convicted of a violation of Section 16-11-523 or this section.

THURSDAY, MAY 5, 2022

(10) A sheriff shall issue permits during regular business hours.

(C)(1) A person or entity who wants to transport or sell nonferrous metals to a secondary metals recycler shall obtain a permit to transport and sell the nonferrous metals. An entity's employee is not required to obtain a separate permit to transport or sell nonferrous metals provided that the employee is acting within the scope and duties of their employment with the entity. An entity's employee who intends to transport and sell nonferrous metals on behalf of an entity shall have a copy of the entity's permit readily available for inspection. There is a presumption that an employee or agent of a secondary metals recycler who violates the provisions of this section is engaging in activity outside the normal course and scope of his employment. A secondary metals recycler employer or owner may not be criminally charged under this subsection for illegal activities of an employee or agent absent evidence the secondary metals recycler employer or owner knew or should have known the employee or agent was conducting illegal activity to benefit the secondary metals recycler employer or owner.

(2) If a person is a resident of South Carolina or an entity is located in South Carolina, the person or entity shall obtain a permit from the sheriff of the county in which the person resides or has a secondary residence or in which the entity is located or has a secondary business. The sheriff ~~may~~ must issue the permit to the person or entity if the:

(a) person resides or has a secondary residence or the entity is located or has a secondary business in the sheriff's county;

(b) person or entity has not been convicted of a violation of Section 16-11-523 or this section; and

(c) person or entity declares on an application provided by the sheriff that the person or entity is informed of and will comply with the provisions of this section.

(3) If a person is not a resident of South Carolina or an entity is not located in South Carolina, the person or entity shall obtain a permit from any sheriff of any county. The sheriff ~~may~~ must issue the permit to the person or entity if the:

(a) person is not a resident of South Carolina or the entity is not located in South Carolina;

(b) person or entity has not been convicted of a violation of Section 16-11-523 or this section; and

(c) person or entity declares on an application provided by the sheriff that the person or entity is informed of and will comply with the provisions of this section.

THURSDAY, MAY 5, 2022

(4) The South Carolina Law Enforcement Division shall develop the application and permit in consultation with the state's sheriffs and representatives of the secondary metals recyclers' industry.

(5) A sheriff may investigate a person or entity's background prior to issuing a permit for purposes of determining if the person or entity qualifies to be issued a permit.

(6) A sheriff may not charge a fee for a permit. A sheriff may charge a ten dollar fee to replace a permit that has been lost or destroyed. If the original permit is later found by the person or entity, the person or entity must turn the original permit into the sheriff or destroy the original permit.

(7) A sheriff shall keep a record of all permits issued containing, at a minimum, the date of issuance, the name and address of the person or entity, a photocopy of the person's identification or of the employee's identification, and the person's photograph or the entity's employee's photograph.

(8) A permit is valid statewide and expires on the person's birth date on the second calendar year after the calendar year in which the permit is issued, or, if the permittee is an entity, the permit expires on the date of issuance on the second calendar year after the calendar year in which the permit is issued.

(9) A permit may be denied, suspended, or revoked at any time if a sheriff discovers that the information on an application is intentionally inaccurate, a person or entity does not comply with the requirements of this section, or a person or entity is convicted of a violation of Section 16-11-523 or this section.

(10)(a) It is unlawful for a person or entity to obtain a permit to transport and sell nonferrous metals for the purpose of transporting or selling stolen nonferrous metals.

(b) A person who violates a provision of this subitem is guilty of a felony; and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both. The person or entity's permit must be revoked.

(11) A sheriff shall issue permits during regular business hours.

(D)(1) It is unlawful to purchase nonferrous metals in any amount for the purpose of recycling the nonferrous metals from a seller unless the purchaser is a secondary metals recycler who has a valid permit to purchase nonferrous metals issued pursuant to subsection (B) and the seller has a valid permit to transport and sell nonferrous metals issued pursuant to subsection (C). A secondary metals recycler may hold a

THURSDAY, MAY 5, 2022

seller's nonferrous metals while the seller obtains a permit to transport and sell nonferrous metals pursuant to subsection (C).

(2) A secondary metals recycler shall maintain a record containing, at a minimum, the date of purchase, the name and address of the seller, a photocopy of the seller's identification, a photocopy of the seller's permit to transport and sell nonferrous metals, if applicable, the license plate number of the seller's motor vehicle, if available, the seller's photograph, the weight and size or other description of the nonferrous metals purchased, the amount paid for the nonferrous metals, and a signed statement from the seller stating that the seller is the rightful owner or is entitled to sell the nonferrous metals being sold. If the secondary metals recycler has the seller's photograph on file, the secondary metals recycler may reference the photograph on file without making a photograph for each transaction; however, the secondary metals recycler shall update the seller's photograph on an annual basis. A secondary metals recycler may use a video of the seller in lieu of a photograph provided the secondary metals recycler maintains the video for at least one hundred twenty days. A secondary metals recycler may maintain a record in an electronic database provided that the information is legible and can be accessed by law enforcement upon request.

(3) All nonferrous metals that are purchased by and are in the possession of a secondary metals recycler and all records required to be kept by this section must be maintained and kept open for inspection by law enforcement officials or local and state governmental agencies upon twenty-four hours notice to the secondary metals recycler and during regular business hours. The records must be maintained for one year from the date of purchase. Failure to maintain documentation required by this section may result in suspension of the licensed metal recycler's permit for up to ten days for a first offense and up to thirty days for a second or subsequent offense. Failure to maintain documentation must not result in a criminal charge absent corroborating evidence that the secondary metals recycler is in possession of a used, detached catalytic converter or any nonferrous part of a used, detached catalytic converter in violation of applicable law.

(4) A secondary metals recycler shall not enter into a cash transaction in payment for the purchase of copper, catalytic converters, or beer kegs, which totals twenty-five dollars or more. Payment for the purchase of copper, catalytic converters, or beer kegs, which totals twenty-five dollars or more must be made by check alone issued and made payable to the seller. A secondary metals recycler shall neither cash a check issued pursuant to this item nor use an automated teller

THURSDAY, MAY 5, 2022

machine (ATM) or other cash card system in lieu of a check. A secondary metals recycler shall not enter into more than one cash transaction per day per seller in payment for the purchase of copper, catalytic converters, or beer kegs.

(5) A secondary metals recycler shall prominently display a twenty-inch by thirty-inch sign in the secondary metals recycler's fixed site that states: 'NO NONFERROUS METALS, INCLUDING COPPER, MAY BE PURCHASED BY A SECONDARY METALS RECYCLER FROM A SELLER UNLESS THE SELLER IS A HOLDER OF A RETAIL LICENSE, AN AUTHORIZED WHOLESALER, A CONTRACTOR LICENSED PURSUANT TO ARTICLE 1, CHAPTER 11, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, A GAS, ELECTRIC, COMMUNICATIONS, WATER, PLUMBING, ELECTRICAL, OR CLIMATE CONDITIONING SERVICE PROVIDER, OR THE SELLER PRESENTS THE SELLER'S VALID PERMIT TO TRANSPORT AND SELL NONFERROUS METALS ISSUED PURSUANT TO SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976.'

(6) A purchaser who violates a provision of this subsection:

(a) for a first offense, is guilty of a misdemeanor; and, upon conviction, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days;

(b) for a second offense, is guilty of a misdemeanor; and, upon conviction, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than one year, or both; and

(c) for a third offense or subsequent offense, is guilty of a misdemeanor; and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both. For an offense to be considered a third or subsequent offense, only those offenses that occurred within a period of ten years, including and immediately preceding the date of the last offense, shall constitute a prior offense within the meaning of this subsection.

If the purchaser obtained a permit to purchase nonferrous metals pursuant to subsection (B), the permit must be revoked.

(E)(1)(a) It is unlawful to sell nonferrous metals in any amount to a secondary metals recycler unless the secondary metals recycler has a valid permit to purchase nonferrous metals issued pursuant to subsection (B) and the seller has a valid permit to transport and sell nonferrous metals issued pursuant to subsection (C).

THURSDAY, MAY 5, 2022

(b) A seller who violates a provision of this subitem:

(i) for a first offense, is guilty of a misdemeanor; and, upon conviction, must be fined in the discretion of the court or imprisoned not more than one year, or both;

(ii) for a second offense, is guilty of a misdemeanor; and, upon conviction, must be fined not less than five hundred dollars or imprisoned not more than three years, or both; and

(iii) for a third or subsequent offense, is guilty of a felony; and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than five years, or both.

If the seller obtained a permit to transport and sell nonferrous metals pursuant to subsection (C), the permit must be revoked.

(2)(a) It is unlawful to purchase or otherwise acquire nonferrous metals in any amount from a seller who does not have a valid permit to transport and sell nonferrous metals issued pursuant to subsection (C) with the intent to resell the nonferrous metals in any amount to a secondary metals recycler using the purchaser's valid permit to transport and sell nonferrous metals issued pursuant to subsection (C).

(b) A purchaser who violates a provision of this subitem is guilty of a felony; and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both. The purchaser's permit must be revoked.

(F)(1) When a law enforcement officer has reasonable cause to believe that any item of nonferrous metal in the possession of a secondary metals recycler has been stolen, the law enforcement officer may issue a hold notice to the secondary metals recycler. The hold notice must be in writing, be delivered to the secondary metals recycler, specifically identify those items of nonferrous metal that are believed to have been stolen and that are subject to the notice, and inform the secondary metals recycler of the information contained in this subsection. Upon receipt of the notice, the secondary metals recycler must not process or remove the items of nonferrous metal identified in the notice, or any portion thereof, from the secondary metal recycler's fixed site for fifteen calendar days after receipt of the notice unless released prior to the fifteen-day period by the law enforcement officer.

(2) No later than the expiration of the fifteen-day period, a law enforcement officer may issue a second hold notice to the secondary metals recycler, which shall be an extended hold notice. The extended hold notice must be in writing, be delivered to the secondary metals recycler, specifically identify those items of nonferrous metal that are believed to have been stolen and that are subject to the extended hold

THURSDAY, MAY 5, 2022

notice, and inform the secondary metals recycler of the information contained in this subsection. Upon receipt of the extended hold notice, the secondary metals recycler must not process or remove the items of nonferrous metal identified in the notice, or any portion thereof, from the secondary metals recycler's fixed site for thirty calendar days after receipt of the extended hold notice unless released prior to the thirty-day period by the law enforcement officer.

(3) At the expiration of the hold period or, if extended, at the expiration of the extended hold period, the hold is automatically released and the secondary metals recycler may dispose of the nonferrous metals unless other disposition has been ordered by a court of competent jurisdiction.

(4) A secondary metals recycler who intentionally violates a provision of this subsection:

(a) for a first offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days;

(b) for a second offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than one year, or both; and

(c) for a third or subsequent offense, is guilty of a misdemeanor, and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both. For an offense to be considered a third or subsequent offense, only those offenses that occurred within a period of ten years, including and immediately preceding the date of the last offense shall constitute a prior offense within the meaning of this subsection.

The secondary metals recycler's permit to purchase nonferrous metals issued pursuant to subsection (B) must be revoked.

(G)(1) It is unlawful to transport nonferrous metals in a vehicle or have nonferrous metals in a person's possession.

(2) Subsection (G)(1) does not apply if:

(a) the person can present a valid permit to transport and sell nonferrous metals issued pursuant to subsection (C); or

(b) the person can present a valid bill of sale for the nonferrous metals.

(3) If a law enforcement officer determines that one or more of the exceptions listed in subsection (G)(2) applies, or the law enforcement officer determines that the nonferrous metals are not stolen goods and

THURSDAY, MAY 5, 2022

are in the rightful possession of the person, the law enforcement officer shall not issue a citation for a violation of this subsection.

(4) A person who violates a provision of subsection (G)(1):

(a) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days;

(b) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than one year, or both; and

(c) for a third or subsequent offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both. For an offense to be considered a third or subsequent offense, only those offenses that occurred within a period of ten years, including and immediately preceding the date of the last offense, shall constitute a prior offense within the meaning of this subsection.

(5) If a person transports nonferrous metals that the person knows are stolen in a vehicle or has in the person's possession nonferrous metals that the person knows are stolen, is operating a vehicle used in the ordinary course of business to transport nonferrous metals that the person knows are stolen, presents a valid or falsified permit to transport and sell nonferrous metals that the person knows are stolen, or presents a valid or falsified bill of sale for nonferrous metals that the person knows to be stolen, the person is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both. If the person obtained a permit to transport and sell nonferrous metals pursuant to subsection (C), the permit must be revoked.

(H) For purposes of this section, the only acceptable identification is a valid:

(1) South Carolina driver's license issued by the Department of Motor Vehicles;

(2) South Carolina identification card issued by the Department of Motor Vehicles;

(3) driver's license from another state that contains the licensee's picture on the face of the license; or

(4) military identification card.

(I)(1) A secondary metals recycler shall not purchase or otherwise acquire:

(a) an iron or steel manhole cover;

(b) an iron or steel drainage grate; or

THURSDAY, MAY 5, 2022

(c) a coil, unless the seller is an exempted entity pursuant to subsection (J)(1)(e) or the seller presents a bill of sale from a company licensed pursuant to Chapter 11, Title 40 indicating that the seller acquired the coil as the result of a unit replacement or repair. The bill of sale is sufficient proof of ownership and serves the same purpose as a permit to transport and sell nonferrous metals. A person who presents a falsified bill of sale is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both.

(2)(a) It is unlawful for any individual or entity other than a permitted secondary metals recycler to purchase, or to attempt to purchase, a used, detached catalytic converter or any nonferrous part of a catalytic converter.

~~(b) Except as otherwise provided in item (3)(a)(iii)(aa), (bb), and (cc) for those businesses delineated in item (3)(a)(ii),~~ It is unlawful for any individual or entity to possess, obtain or otherwise acquire, transport, or sell a used, detached catalytic converter or any nonferrous part of a catalytic converter without a permit and without providing the following documentation to law enforcement and/or a permitted secondary metals recycler:

(i) the name of the person or company that removed the catalytic converter;

(ii) the name of the person for whom the work was completed;

(iii) the make and model of the vehicle from which the catalytic converter was removed;

(iv) the vehicle identification number of the vehicle from which the catalytic converter was removed;

(v) the part number or other identifying number of the catalytic converter that was removed; and

(vi) the certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

(c) It is unlawful for a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter to intentionally provide ~~any~~ false, fraudulent, altered or counterfeit information or documentation as required by this subsection.

~~(d) An individual or entity who violates any provision of subsection (I)(2), for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both; or for a second offense, is guilty of a~~

THURSDAY, MAY 5, 2022

felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both is guilty of a:

(i) misdemeanor triable in magistrates or municipal court, notwithstanding the provisions of Sections 22-3-540, 22-3-545, 22-3-550, and 14-25-65, and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both, when the value of the prohibited items is less than two thousand dollars;

(ii) felony and, upon conviction, must be fined in the discretion of the court and imprisoned not more than five years if the value of the prohibited items is at least two thousand dollars but not more than ten thousand dollars;

(iii) felony and, upon conviction, must be fined in the discretion of the court and imprisoned not more than ten years if the value of the prohibited items is more than ten thousand dollars.

~~(c) Each unlawfully obtained, possessed, or transported used, detached catalytic converter is a separate violation that subjects the individual or entity to a separate charge. Upon conviction, the court may order the individual or entity to pay restitution for the value of the repair and replacement of the catalytic converter or the individual or entity may be held liable as otherwise provided by law. A person in possession of a used, detached catalytic converter without identifying documentation is presumed to be in possession of contraband subject to forfeiture as otherwise provided by law.~~

~~(f) For purposes of this section, a used, detached catalytic converter does not include a catalytic converter that has been tested, certified, and labeled for reuse in accordance with applicable U.S. Environmental Protection Agency Clean Air Act regulations, as may from time to time be amended.~~

(f) If a law enforcement officer determines that the used, detached catalytic converter or any nonferrous part of a used, detached catalytic converter are not stolen goods and are in the rightful possession of the person, the law enforcement officer shall not issue a citation for a violation of this subsection. Failure to maintain documentation required by this section must not result in a criminal charge absent corroborating evidence that the secondary metals recycler is in possession of a used, detached catalytic converter or any nonferrous part of a used, detached catalytic converter in violation of applicable law.

(g) There is a presumption that an employee or agent of a secondary metals recycler who violates the provisions of this section is engaging in activity outside the normal course and scope of his

THURSDAY, MAY 5, 2022

employment. A secondary metals recycler employer or owner may not be criminally charged under this subsection for illegal activities of an employee or agent absent evidence the secondary metals recycler employer or owner knew or should have known the employee or agent was conducting illegal activity to benefit the secondary metals recycler employer or owner.

(3)(a) It is unlawful for a secondary metals recycler to purchase a used, detached catalytic converter or any nonferrous part of a used catalytic converter unless the secondary metals recycler has a permit from the local sheriff's office, the sale occurs at the secondary metals recycler's fixed site or the sale occurs at the seller's fixed site but only if the seller is a licensed automotive repair service, a licensed demolisher, as defined in Section 56-5-5810, a licensed secondary metals recycler, or a licensed motor vehicle dealer and the purchase is made by a permitted secondary metals recycler who maintains a fixed site within the State, and the following requirements are followed:

(i) the catalytic converter or nonferrous part was purchased as part of a vehicle; or

(ii) the catalytic converter or nonferrous part was purchased from a secondary metals recycler, new or used motor vehicle dealer, automotive repair service, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters and a copy of the seller's valid business license is received and maintained by the purchaser at the time of the transaction; or

(iii) the business selling the catalytic converter or nonferrous part provides a record or receipt showing:

(aa) the repair order number, when applicable;

(bb) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter, when applicable; and

(cc) the vehicle identification number of the vehicle from which the catalytic converter was removed; or

(iv) the individual selling the catalytic converter or nonferrous part provides the secondary metals recycler with the following information for the motor vehicle that the catalytic converter was taken from to include all of the following:

(aa) the name of the person or company that removed the catalytic converter;

(bb) the name of the person for whom the work was completed;

THURSDAY, MAY 5, 2022

(cc) the make and model of the vehicle from which the catalytic converter was removed;

(dd) the vehicle identification number of the vehicle from which the catalytic converter was removed;

(ee) the part number or other identifying number of the catalytic converter that was removed; and

(ff) the certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

Nothing in this item prevents an out-of-state secondary metals recycler who maintains a fixed site and who complies with all other provisions of this chapter from obtaining, purchasing, or otherwise acquiring a used, detached catalytic converter or any nonferrous part of a used catalytic converter.

(b) Before each purchase or acquisition of a used, detached catalytic converter, the secondary metals recycler, including an agent, employee, or representative of the secondary metals recycler, must:

(i) verify, with the applicable documentation that the person transferring or selling the used, detached catalytic converter acquired it legally and has the right to transfer or sell it; and

(ii) retain a record of the applicable verification and other information required pursuant to subsection (D)(2) and note in their records any obvious marking on the used, detached catalytic converter such as paint, labels, or engravings that would aid in the identification of the catalytic converter.

(c) A seller of used, detached catalytic converters or any nonferrous metal part of such is subject to the provisions of subsection (C) regarding the permitting of a person or entity to transport and sell nonferrous metals except for an automotive repair service who, in lieu of a permit, may produce a record or receipt showing:

(i) the repair order number, when applicable;

(ii) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter, when applicable; and

(iii) the vehicle identification number of the vehicle from which the catalytic converter was removed.

(d) It is unlawful for a secondary metals recycler to fail to collect ~~or retain~~ all required documentation from a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter as required by this subsection. A secondary metals recycler who obtains all documentation as required by this subsection is exempt

THURSDAY, MAY 5, 2022

from prosecution under this subsection unless they knew or had reason to believe that the documentation provided was false, fraudulent, altered or counterfeit, or knew or had reason to believe that the used, detached catalytic converter or any nonferrous part of a catalytic converter was stolen.

(e) A licensed secondary metals recycler, who is exempt from the provisions of subsection (1)(2), but who violates a provision of subsection (1)(3) is guilty of a:

(i) ~~for a first offense, is guilty of a misdemeanor triable in magistrates or municipal court, notwithstanding the provisions of Sections 22-3-540, 22-3-545, 22-3-550, and 14-25-65, and, upon conviction, must be fined not more than two hundred one thousand dollars or imprisoned not more than thirty days, or both, when the value of the prohibited items is less than two thousand dollars;~~

(ii) ~~for a second offense, is guilty of a misdemeanor felony and, upon conviction, must be fined not more than five hundred dollars or in the discretion of the court and imprisoned not more than one year, or both five years if the value of the prohibited items is at least two thousand dollars but not more than ten thousand dollars; and~~

(iii) ~~for a third or subsequent offense, is guilty of a misdemeanor felony and, upon conviction, must be fined not more than one thousand dollars or in the discretion of the court and imprisoned not more than three ten years, or both if the value of the prohibited items is more than ten thousand dollars.~~

(iv) ~~Each unlawfully obtained or possessed used, detached catalytic converter or part of a used catalytic converter is a separate violation and subjects the secondary metals recycler to a separate charge for each. Any unlawfully possessed used, detached catalytic converter is subject to forfeiture as otherwise provided for by law. Upon conviction, the court may order the secondary metals recycler to pay restitution for the value of the repair and replacement of the catalytic converter or the secondary metals recycler may be held liable as otherwise provided for by law.~~

(f) If a law enforcement officer determines that the used, detached catalytic converter or any nonferrous part of a used, detached catalytic converter are not stolen goods and are in the rightful possession of the licensed metal recycler, the law enforcement officer shall not issue a citation for a violation of this subsection.

(g) There is a presumption that an employee or agent of a secondary metals recycler who violates the provisions of this section is engaging in activity outside the normal course and scope of his

THURSDAY, MAY 5, 2022

employment. A secondary metals recycler employer or owner may not be criminally charged under this subsection for illegal activities of an employee or agent absent evidence the secondary metals recycler employer or owner knew or should have known the employee or agent was conducting illegal activity to benefit the secondary metals recycler employer or owner.

(h) Failure to maintain documentation required by this section may result in suspension of the licensed metal recycler's permit for up to thirty days for a first offense and up to six months for a second offense. Failure to maintain documentation must not result in a criminal charge absent corroborating evidence that the secondary metals recycler is in possession of a used, detached catalytic converter or any nonferrous part of a used, detached catalytic converter in violation of applicable law.

(i) Law enforcement may inspect a permitted licensed metal recycler's documentation upon twenty-four hours notice to the licensed metal recycler unless law enforcement is in possession of a valid warrant or is acting upon a valid exception to the warrant requirement.

(J)(1) Except as provided in item (2), the provisions of this section do not apply to:

- (a) the purchase or sale of aluminum cans;
- (b) a transaction between a secondary metals recycler and another secondary metals recycler;
- (c) a governmental entity;
- (d) a manufacturing or industrial vendor that generates or sells regulated metals in the ordinary course of its business;
- (e) a seller who is a holder of a retail license, an authorized wholesaler, an automobile demolisher as defined in Section 56-5-5810(d), a contractor licensed pursuant to Chapter 11, Title 40, a real estate broker or property manager licensed pursuant to Chapter 57, Title 40, a residential home builder licensed pursuant to Chapter 59, Title 40, a demolition contractor, a provider of gas service, electric service, communications service, water service, plumbing service, electrical service, climate conditioning service, appliance repair service, automotive repair service, or electronics repair service; or
- (f) a seller that is an organization, a corporation, or an association registered with the State as a charitable organization or a nonprofit corporation.

(2) An exempted entity listed in item (1) is subject to the provisions of subsection (C)(10), subsection (G)(5), and subsection (I).

A secondary metals recycler shall maintain a record of transactions involving exempted entities listed in item (1) pursuant to subsection (D)

THURSDAY, MAY 5, 2022

and is subject to the penalty provisions of subsection (D)(6). Failure to maintain documentation required by this section may result in suspension of the licensed metal recycler's permit for up to thirty days for a first offense and up to six months for a second offense. Failure to maintain documentation must not result in a criminal charge absent corroborating evidence that the secondary metals recycler is in possession of a used, detached catalytic converter or any nonferrous part of a used, detached catalytic converter in violation of applicable law. Any item of nonferrous metals acquired from an exempted entity listed in item (1) is subject to a hold notice pursuant to subsection (F).

(K) This section preempts local ordinances and regulations governing the purchase, sale, or transportation of nonferrous metals in any amount, except to the extent that such ordinances pertain to zoning or business license fees. Political subdivisions of the State may not enact ordinances or regulations more restrictive than those contained in this section.”

B. 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 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.

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

Rep. RUTHERFORD 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 99; Nays 5

THURSDAY, MAY 5, 2022

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	McCabe	McDaniel
McGarry	McGinnis	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Whitmire	R. Williams
Willis	Wooten	Yow

Total--99

Those who voted in the negative are:

Chumley	W. Cox	Dabney
Felder	Hill	

THURSDAY, MAY 5, 2022

Total--5

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

S. 908--ORDERED TO BE READ THIRD TIME TOMORROW

On motion of Rep. RUTHERFORD, with unanimous consent, it was ordered that S. 908 be read the third time tomorrow.

S. 1178--ORDERED TO THIRD READING

The following Bill was taken up:

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

Rep. B. NEWTON moved to reconsider the vote whereby Amendment No. 1 was adopted, which was agreed to.

Reps. LUCAS, G.M. SMITH, POPE, SIMRILL, MURPHY, JORDAN, W. NEWTON, ALLISON, THAYER, HIOTT, HUGGINS, SANDIFER, G.R. SMITH, WILLIS, D.C. MOSS, WEST, B. NEWTON, HIXON, ERICKSON, BAILEY, BALLENTINE, BRITTAIN, BENNETT, BLACKWELL, BURNS, BUSTOS, B. COX, CRAWFORD, DANING, ELLIOTT, FELDER, FORREST, GAGNON, GATCH, HARDEE, HEWITT, J.E. JOHNSON, LIGON, LONG, MAGNUSON, MCCRAVY, MCGARRY, V.S. MOSS, NUTT, M.M. SMITH, WHITE, WILLIS, YOW, TAYLOR, WHITMIRE, W. COX, HYDE, DABNEY, MAY, JONES and WOOTEN proposed the following Amendment No. 1 to S. 1178 (COUNCIL\HB\1178C001.BH. HB22), which was tabled:

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

[HJ]

THURSDAY, MAY 5, 2022

/ SECTION ____. A. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7-13-25. (A) Monday through Saturday for a two-week period preceding a general election conducted pursuant to Section 7-13-10, a primary, special elections, and all municipal elections, all qualified electors of this State must be allowed to cast an early in-person ballot. To the extent time permits, and for a period of time as may be determined by the Executive Director of the State Election Commission, all qualified electors must be allowed to cast an early in-person ballot prior to a primary runoff.

(B) The period of early voting begins at 8:30 a.m. and ends at 6:00 p.m. on each day of the early voting period, excluding Sunday, until the conclusion of the early voting period at 6:00 p.m. on the Saturday immediately prior to the election.

(C) For a general election conducted pursuant to Section 7-13-10, each county board of voter registration and elections must establish early in-person voting locations in an amount based on the following formulas, whichever is higher, but not to exceed seven locations:

- (1) The number of registered voters in the county:
 - (a) 1 - 39,999 voters: one location
 - (b) 40,000 - 79,999 voters: two locations
 - (c) 80,000 - 119,999 voters: three locations
 - (d) 120,000 - 159,999 voters: four locations
 - (e) 160,000 - 199,999 voters: five locations
 - (f) 200,000 - 239,999 voters: six locations
 - (g) 240,000 voters and up: seven locations
- (2) The size of the county in square miles:
 - (a) 0-199 square miles: one location
 - (b) 200-399 square miles: two locations
 - (c) 400-599 square miles: three locations
 - (d) 600-799 square miles: four locations
 - (e) 800-999 square miles: five locations
 - (f) 1000-1199 square miles: six locations
 - (g) 1200 square miles and up: seven locations

(D) If the main office of each county board of voter registration and elections is used for an early in-person voting location, it constitutes one of the early in-person voting locations as delineated in this section.

(E)(1) County boards of voter registration and elections must determine locations for early voting centers. In selecting locations, boards must consider geography, population, and ADA compliant accessibility. Boards must distribute the locations throughout the county

THURSDAY, MAY 5, 2022

to maximize accessibility for all voters in the county to the greatest extent possible. The Executive Director of the State Election Commission may, at his discretion, direct the move of early voting centers to ensure proper distribution through each county.

(2) When the early in-person location formulas in subsection (C)(1) and (C)(2) produce results that differ by four or more locations, the Executive Director may authorize a county board to use two fewer than the higher number determined in subsection (C). The Executive Director also may authorize the loss of an early in-person location due to an emergency such as fire or flood.

(F) The county election board must set and publish the location of each early in-person voting center at least fourteen days before the early voting period begins. Publication of the schedule must be made, at a minimum, to a website or webpage managed by, or on behalf of, each respective county election board.

(G) Upon the daily closure of each early in-person voting location during the period established in subsection (B), all ballots must be transported to the county board of voter registration and elections and stored in a secure location.

(H) County boards of voter registration and elections, in their discretion, may establish any number of early in-person voting locations for use in primary, primary runoff, special elections, and all municipal elections, and the formulas provided in this section do not apply.

(I) Each early voting center must have available every ballot style in use in the particular county for that election.”

B. Section 7-11-10 of the 1976 Code is amended to read:

“Section 7-11-10. (A) Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention, or by petition; however, a person who was defeated as a candidate for nomination to an office in a party primary or party convention ~~shall~~ may not have his name placed on the ballot for the ensuing general or special election, except that this section does not prevent a defeated candidate from later becoming his party’s nominee for that office in that election if the candidate first selected as the party’s nominee dies, resigns, is disqualified, or otherwise ceases to become the party’s nominee for that office before the election is held.

(B) A candidate may not file more than one statement of intention of candidacy for a single office for the same election.

(C) A candidate may not be nominated by more than one political party for a single office for the same election.”

C. Section 7-13-320(D) of the 1976 Code is amended to read:

THURSDAY, MAY 5, 2022

“(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate’s name may not appear on the ballot more than once for any single office for the same election.”

D. Section 7-15-220(A) of the 1976 Code is amended to read:

“(A) The oath, a copy of which is required by Section 7-15-200(2) to be sent each absentee ballot applicant and which is required by Section 7-15-230 to be returned with the absentee ballot applicant’s ballot, shall be signed by the absentee ballot applicant and witnessed. The oath shall be in the following form:

‘I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots with which this oath is enclosed is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.’

Signature of Voter

Dated on this _____ day of _____ 20 __

Signature of Witness

Printed Name of Witness

Address of Witness”

E. Section 7-15-380(A) of the 1976 Code is amended to read:

“(A) The oath, which is required by Section 7-15-370 to be imprinted on the return-addressed envelope, furnished each absentee ballot applicant, must be signed by the absentee ballot applicant and witnessed. The address and printed name of the witness shall appear on the oath. In the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The oath must be in the following form:

‘I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots contained in this envelope is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.’

Signature of Voter

THURSDAY, MAY 5, 2022

Dated on this _____ day of _____ 20 ____

Signature of Witness

Printed Name of Witness

Address of Witness”

F. Section 7-15-320 of the 1976 Code is amended to read:

“Section 7-15-320. (A) Qualified electors in any of the following categories must be permitted to vote by absentee ballot in all elections when they are absent from their county of residence on election day during the hours the polls are open, to an extent that it prevents them from voting in person:

- (1) students, their spouses, and dependents residing with them;
- (2) persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;
- (3) governmental employees, their spouses, and dependents residing with them; or
- (4) ~~persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or~~
- (5) overseas citizens.

(B) Qualified electors in any of the following categories must be permitted to vote by absentee ballot in all elections, whether or not they are absent from their county of residence on election day:

- (1) physically disabled persons;
- (2) persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county board of voter registration and elections;
- (3) certified poll watchers, poll managers, county board of voter registration and elections members and staff, county and state election commission members and staff working on election day;
- (4) persons attending sick or physically disabled persons;
- (5) persons admitted to hospitals as emergency patients on the day of an election or within a four-day period before the election;
- (6) persons with a death or funeral in the family within a three-day period before the election;
- (7) persons who will be serving as jurors in a state or federal court on election day;
- (8) persons sixty-five years of age or older;

[HJ]

THURSDAY, MAY 5, 2022

(9) persons confined to a jail or pretrial facility pending disposition of arrest or trial; or

(10) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them.

(C) Qualified electors must be permitted to vote by absentee ballot in all elections when they are going to be absent from their county of residence for the duration of the early voting period and on election day.”

G. Section 7-15-340 of the 1976 Code is amended to read:

“Section 7-15-340. (A) The application required in Section 7-15-330 to be submitted to these election officials must be in a form prescribed and distributed by the State Election Commission; except that persons listed in Section 7-15-320(2), (3), (6), and (10) may use Standard Form 76, or any subsequent form replacing it, provided by the federal government as a simultaneous request for registration and an absentee ballot or a request for an absentee ballot if already registered.

(B)(1) The application must contain the following information: name, registration certificate number, address, absentee address, election of ballot request, election date, runoff preference, party preference, reason for request, oath of voter, and voter’s signature.

(2) The application also must contain the last four digits of the voter’s social security number.

(C) The oath must be as follows: ‘I do swear or affirm that I am a qualified elector, that I am entitled to vote in this election, and that I will not vote again during this election. The information above is true in all respects, and I hereby apply for an absentee ballot for the reason indicated above.’ Any person who fraudulently applies for an absentee ballot in violation of this section, upon conviction, must be punished in accordance with Section 7-25-20.”

H. Section 7-15-385 of the 1976 Code is amended to read:

“Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to vote and place each ballot in the single envelope marked ‘Ballot Herein’ which in turn must be placed in the return-addressed envelope. The applicant must then return the return-addressed envelope to the board of voter registration and elections by mail, by personal delivery, or by authorizing another person to return the envelope for him. The authorization must be given in writing on a form prescribed by the State Election Commission and must be turned in to the board of voter registration and elections at the time the envelope is returned. The voter must sign the form, or in the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have

THURSDAY, MAY 5, 2022

the mark witnessed by someone designated by the voter. The authorization form prescribed by the State Election Commission must include a designated space in which the appropriate elections official or employee shall record the specific form of government-issued photo identification presented by the authorized returnee. The authorization must be preserved as part of the record of the election, and the board of voter registration and elections must note the authorization, and the name of the authorized returnee, and the authorized returnee's form of government-issued photo identification in the record book required by Section 7-15-330. A candidate or a member of a candidate's paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter's immediate family as defined in Section 7-15-310. The oath set forth in Section 7-15-380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7-15-330 the date the return-addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board. The board must securely store the envelopes in a locked box within the office of the board of voter registration and elections.

(B)(1) When an authorized returnee presents himself to the board of voter registration and elections to deliver a return-addressed envelope in person pursuant to subsection (A), he shall produce a valid and current:

- (a) South Carolina driver's license;
- (b) another form of identification containing a photograph issued by the Department of Motor Vehicles;
- (c) passport;
- (d) military identification containing a photograph issued by the federal government; or
- (e) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7-5-675.

(2) The appropriate elections official or employee who receives a return-addressed envelope from an authorized returnee shall:

- (a) compare the photograph contained on the required identification with the person presenting himself as an authorized returnee; and
- (b) verify that the photograph is that of the person personally delivering the return-addressed envelope."

I. Section 7-15-420 of the 1976 Code, as last amended by Act 133 of 2020, is further amended to read:

THURSDAY, MAY 5, 2022

“Section 7-15-420. (A) The county board of voter registration and elections, municipal election commission, or executive committee of each municipal party in the case of municipal primary elections is responsible for the tabulation and reporting of absentee ballots. At ~~9:00 a.m.~~ 6:01 p.m. on the Saturday immediately preceding election day, the managers appointed pursuant to Section 7-5-10, ~~and in the presence of any watchers who have been appointed pursuant to Section 7-13-860,~~ may begin the process of examining the return-addressed envelopes that have been received by the county board of voter registration and elections making certain that each oath has been properly signed and witnessed and includes the printed name and address of the witness. All return-addressed envelopes received by the county board of voter registration and elections before the time for closing the polls must be examined in this manner. A ballot may not be counted unless the oath is properly signed and witnessed nor may any ballot be counted which is received by the county board of voter registration and elections after time for closing of the polls. The printed instructions required by Section 7-15-370(2) to be sent each absentee ballot applicant must notify him that his vote will not be counted in either of these events. If a ballot is not challenged, the sealed return-addressed envelope must be opened by the managers, and the enclosed envelope marked ‘Ballot Herein’ removed, ~~and~~ placed in a locked box or boxes, and kept secure. After all return-addressed envelopes have been emptied in this manner, the managers shall remove the ballots contained in the envelopes marked ‘Ballot Herein’, placing each one in the ballot box provided for the applicable contest. Beginning at ~~9:00~~ 7:00 a.m. on the calendar day immediately preceding election day, the absentee ballots may be tabulated, including any absentee ballots received on election day before the polls are closed. If any ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot. The processes of examining the return-addressed envelopes, opening the sealed return-addressed envelopes to remove the ‘Ballot Herein’ envelopes, and removing the ballots from the ‘Ballot Herein’ envelopes for tabulation must be conducted in the presence of any candidate who elects to be present, and of any watchers who have been appointed pursuant to Section 7-13-860. Provided, any candidates or watchers present must be located a reasonable distance in order to maintain both the right to observe and the secrecy of the ballots.

THURSDAY, MAY 5, 2022

(B) Results of the absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.”

J. Article 5, Chapter 15, Title 7 of the 1976 Code is amended by adding:

“Section 7-15-325. Any voter who goes to a polling location to vote in person on election day and who has been designated as having previously voted absentee is entitled to cast a provisional ballot. The voter’s provisional ballot must be counted only if the county board of voter registration and elections has a record that the voter’s absentee ballot was not received.”

K. Section 7-15-470 of the 1976 Code is repealed.

L. Section 7-3-20(C) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“() establish rules and regulations for voter registrations performed by private entities.”

M. Section 7-5-170 of the 1976 Code is amended to read:

“Section 7-5-170. (1) Written application required.—A person may not be registered to vote except upon written application or electronic application pursuant to Section 7-5-185, which shall become a part of the permanent records of the board to which it is presented and which must be open to public inspection. However, the social security number contained in the application must not be open to public inspection.

(2) Form of application. — The application must be on a form prescribed and provided by the executive director and shall contain the following information: name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in any public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must take the following oath: ‘I, do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further

THURSDAY, MAY 5, 2022

swear (or affirm) that the present residence address listed herein is my sole legal place of residence, ~~and~~ that I claim no other place as my legal residence, and that, to my knowledge, I am neither registered nor intend to register to vote in another state or county. Any applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(3) Date stamp voter registration applications. — The county board of voter registration and elections shall date stamp all voter registration applications delivered in person, electronically, or by mail as of the date received.

~~(3)~~(4) Administration of oaths. — Any member of the county board of voter registration and elections, deputy registrar, or any registration clerk must be qualified to administer oaths in connection with the application.

(4)~~(5) Decisions on applications. — Any member of the county board of voter registration and elections, deputy registrar, or registration clerk may pass on the qualifications of the prospective voter. In case of a question of an applicant being refused registration, at least one member of the board shall pass on the qualifications of the voter. A concise statement of the reasons for the refusal must be written on the application.”~~

N. Section 7-15-330 of the 1976 Code, as last amended by Act 133 of 2020, is further amended to read:

“Section 7-15-330. To vote by absentee ballot, a qualified elector or a member of his immediate family must request an application to vote by absentee ballot in person, by telephone, or by mail from the county board of voter registration and elections, or at an extension office of the board of voter registration and elections as established by the county governing body, for the county of the voter’s residence. A person requesting an application for a qualified elector as the qualified elector’s authorized representative must request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and must sign an oath to the effect that he fits the statutory definition of a representative. This signed oath must be kept on file with the board of voter registration and elections until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. A candidate or a member of a candidate’s paid campaign staff, including campaign volunteers ~~reimbursed for time expended on campaign activity~~, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family. A person may not request

THURSDAY, MAY 5, 2022

absentee applications for more than ten qualified electors in addition to himself. A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held. However, completed applications must be returned to the county board of voter registration and elections in person or by mail before 5:00 p.m. on the fourth day before the day of the election. Applications must be accepted by the county board of voter registration and elections until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7-15-320. A member of the immediate family of a person who is admitted to a hospital as an emergency patient on the day of an election or within a four-day period before the election may obtain an application from the board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the board of voter registration and elections. The board of voter registration and elections shall serially number each absentee ballot application form and keep a record book in which must be recorded the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; the date upon which the form is issued; and the date and method upon which the absentee ballot is returned. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election. A person who violates the provisions of this section is subject to the penalties provided in Section 7-25-170.”

O. Section 7-5-186 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“() Security protocols for voter registration information maintained and developed by the State Election Commission shall be generally consistent with current industry security standards, and in promulgating this requirement, the State Election Commission shall consider those security standards issued by the National Institute of Standards and Technology, the Cybersecurity and Infrastructure Security Agency, and the federal Election Assistance Commission. The State Election Commission shall certify, at least annually, that the State

THURSDAY, MAY 5, 2022

of South Carolina has substantially complied with the requirements of this section.”

P. Section 7-5-430 of the 1976 Code is amended to read:

“Section 7-5-430. Immediately preceding each general election or any special election, the county board of voter registration and elections must furnish one registration book for each polling precinct in the county containing the names of all electors entitled to vote at each precinct. Security protocols for electronic poll books shall be generally consistent with current industry security standards, and in promulgating this requirement, the State Election Commission shall consider those security standards issued by the National Institute of Standards and Technology, the Cybersecurity and Infrastructure Security Agency, and the federal Election Assistance Commission. The State Election Commission shall certify, at least annually, that the State of South Carolina has substantially complied with the requirements of this section.”

Q. Section 7-13-320(A) of the 1976 Code is amended to read:

“(A) Other than ballots delivered electronically to qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20301, et seq., the ballots shall incorporate features which can be used to authenticate the ballot as an official ballot but which does not make the ballot identifiable to a particular elector. The ballot shall be printed on paper of such thickness that the printing cannot be distinguished from the back and shall be of such size and color as directed by the State Election Commission. If more than one ballot is to be used in any election, each such ballot shall be printed upon different colored paper;”

R. Section 7-13-610(C) of the 1976 Code is amended to read:

“(C) Other than ballots delivered electronically to qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20301, et seq., the ballots shall incorporate features which can be used to authenticate the ballot as an official ballot but which do not make the ballot identifiable to a particular elector. The ballot must be printed on paper of a thickness so that the printing cannot be distinguished from the back and must be of a size and color as directed by the State Election Commission. If more than one ballot is to be used in a primary, each ballot must be printed on different colored paper. The ballot must contain a voting square opposite the name of each candidate, and the voter shall vote by putting a mark in the voting square opposite the name of the candidate of his choice. The State Election Commission may establish,

THURSDAY, MAY 5, 2022

under Chapter 23 of Title 1, such rules and regulations as are necessary for the proper administration of this section.”

S. Section 7-13-1330 of the 1976 Code is amended to read:

“Section 7-13-1330. (A) Before any decision is made to procure or use any kind of voting system, input shall be sought from a wide variety of sources including the public, the academic community, public interest organizations, local election officials, and policy makers. Both written and oral testimony shall be accepted from all who wish to participate. This input shall be considered in procurement of a new voting system.

(B) Before any kind of optical scan voting system is used at any election, it must be approved by the State Election Commission, which shall examine the optical scan voting system and make and file in the commission’s office a report, attested by the signature of the commission’s executive director, stating whether, in the commission’s opinion, the kind of optical scan voting system examined may be accurately and efficiently used by electors at elections, as provided by law. An optical scan voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. Notwithstanding any other provision of law to the contrary, if these voting system standards have been amended less than thirty-six months prior to an election, the State Election Commission may approve and certify a voting system that meets the prior standards after determining:

(1) the effect that such approval would have on the integrity and security of elections; and

(2) the procedure and cost involved to bring the voting system into compliance with the amended standards.

~~(B)~~(C) No kind of vote recorder not approved pursuant to this section shall be used at any election and if, upon the reexamination of any type vote recorder previously approved, it appears that the vote recorder so reexamined can no longer be accurately and efficiently used by electors at elections as provided by law, the approval of the vote recorder must immediately be revoked by the State Election Commission, and no such type vote recorder shall thereafter be purchased for use or used in this State.

~~(C)~~(D) If a vote recorder, including an optical scan voting system, which was approved for use before July 1, 1999, is improved or otherwise changed in a way since its approval that does not impair its

THURSDAY, MAY 5, 2022

accuracy, efficiency, or capacity, the vote recorder may be used in elections. However, if the software, hardware, or firmware of the system is improved or otherwise changed, the system must comply with the requirements of subsection ~~(A)~~ (B).

~~(D)~~(E) Any person or company who requests an examination of any type of vote recorder or optical scan voting system shall pay a nonrefundable examination fee of one thousand dollars for a new voting system and a nonrefundable examination fee of five hundred dollars for an upgrade to any existing system to the State Election Commission. The State Election Commission may at any time, in its discretion, reexamine any vote recorder or optical scan voting system when evidence is presented to the commission that the accuracy or the ability of the system to be used satisfactorily in the conduct of elections is in question.

~~(E)~~(F) Any person or company who seeks approval for any vote recorder or optical scan voting system in this State must file with the State Election Commission a list of all states or jurisdictions in which the system has been approved for use. This list must state how long the system has been used in the state; contain the name, address, and telephone number of that state or jurisdiction's chief election official; and must disclose any reports compiled by state or local government concerning the performance of the system. The vendor is responsible for filing this information on an ongoing basis.

~~(F)~~(G) Any person or company who seeks approval for any vote recorder or optical scan voting system must file with the State Election Commission copies of all contracts and maintenance agreements used in connection with the sale of the voting system. All changes to standard contracts and maintenance agreements must be filed with the State Election Commission.

~~(G)~~(H) Any person or company who seeks approval for any vote recorder or optical scan voting system must conduct, under the supervision of the State Election Commission and any county board of voter registration and elections, a field test for any new voting system, as part of the certification process. The field test shall involve South Carolina voters and election officials and must be conducted as part of a scheduled primary, general, or special election. This test must be held in two or more precincts, and all costs relating to the voting system must be borne by the vendor. The test must be designed to gauge voter reaction to the system, problems that voters have with the system, and the number of voting units required for the efficient operation of an election. The test must also demonstrate the accuracy of votes cast and reported on the system.

THURSDAY, MAY 5, 2022

~~(H)~~(I) Before an optical scan voting system may be used in elections in the State, all source codes for the system must be placed in escrow by the manufacturer, at the manufacturer's expense, with the authority approved by the Federal Election Assistance Commission. These source codes must be available to the State Election Commission in case the company goes out of business, pursuant to court order, or if the State Election Commission determines that an examination of these source codes is necessary. The manufacturer shall place all updates of these source codes in escrow, and notify the State Election Commission that this requirement has been met.

~~(H)~~(J) After a vote recorder or optical scan voting system is approved, an improvement or change in the system must be submitted to the State Election Commission for approval pursuant to this section; however, this requirement does not apply to the technical capability of a general purpose computer ~~or reader to electronically count and record votes~~ or ~~to a printer to accurately reproduce vote totals.~~

~~(J)~~(K) If the State Election Commission determines that a vote recorder or optical scan voting system that was approved no longer meets the requirements set forth in subsections ~~(A)~~ (B) and ~~(C)~~ (D) or Section 7-13-1340, the commission may decertify that system. A decertified system shall not be used in elections unless the system is reapproved by the commission under subsections ~~(A)~~ (B) and ~~(C)~~ (D).

~~(K)~~(L) Neither a member of the State Election Commission, any county board of voter registration and elections or custodian, nor a member of a county governing body shall have any pecuniary interest in any vote recorder, or in the manufacture or sale of the vote recorder.

(M) To attain a measure of integrity over the process, the optical scan voting system also must maintain an image of each ballot that is cast, such that records of individual ballots are maintained by a subsystem independent and distinct from the main vote detection, interpretation, processing, and reporting path. The electronic images of each ballot must protect the integrity of the data and the anonymity of each voter, for example, by means of storage location scrambling. The ballot image records may be either machine-readable or manually transcribed, or both, at the discretion of the vendor.

(N) All electronic records of configurations, software logs, security devices, ballot images, hardware, and voting system firmware must be preserved for the same amount of time that the state or federal law requires for all election-related materials."

T. Section 7-13-1340(k) of the 1976 Code is amended to read:

THURSDAY, MAY 5, 2022

~~“(k) if approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1330 (C), is able to electronically transmit vote totals for all elections to the State Election Commission in a format and timeframe specified by the commission prohibits, at all times while utilized in a current election, the following:~~

- ~~(1) a connection to the Internet or an external network;~~
- ~~(2) capability to establish a wireless connection to an external network;~~
- ~~(3) establishment of a connection to an external network through a cable, a wireless modem or any other mechanism or process;~~
- ~~or~~
- ~~(4) automatic adjudication functions.”~~

U. Section 7-13-1370 of the 1976 Code is amended to read:

“Section 7-13-1370. Ballot cards for all precincts shall be sourced solely of suitable design, size and stock, as prescribed by the State Election Commission, to permit processing by a tabulating machine. A serially numbered stub and strip shall be attached to each ballot card in a manner and form similar to that prescribed by law for paper ballots.”

V. Section 7-13-1620(A) and (G) of the 1976 Code is amended to read:

“(A) Before any kind of voting system, including an electronic voting system, is used at an election, it must be approved by the State Election Commission, which shall examine the voting system and make and file in the commission’s office a report, attested to by the signature of the commission’s executive director, stating whether, in the commission’s opinion, the kind of voting system examined may be accurately and efficiently used by electors at elections, as provided by law. A voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. Notwithstanding any other provision of law to the contrary, if these voting system standards have been amended less than thirty-six months prior to an election, the State Election Commission may approve and certify a voting system that meets the prior standards after determining:

- (1) the effect that such approval would have on the integrity and security of elections; and
- (2) the procedure and cost involved to bring the voting system into compliance with the amended standards.

THURSDAY, MAY 5, 2022

(G) After a voting system is approved, an improvement or change in the system must be submitted to the State Election Commission for approval pursuant to this section. This requirement does not apply to the technical capability of a general purpose computer, reader, or printer used for election preparation or ballot ~~tallying~~ tally reporting.”

W. Section 7-13-1640(C) of the 1976 Code is amended to read:

“(C) If approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1620(B), the voting system must be able to electronically transmit vote totals for all elections from county board of voter registration and elections to the State Election Commission in a format and time frame specified by the commission.

(D) During anytime a voter is eligible to cast a ballot, the voting machine and any counting device shall not:

- (1) be connected to the Internet or an external network;
- (2) be capable of establishing a wireless connection;
- (3) establish a connection to an external network through a cable, a wireless modem, or any other mechanism or process; or
- (4) allow automatic adjudication functions.

(E) All electronic records of configurations, software, logs, security devices, ballot images, hardware, and voting system firmware must be preserved for the same amount of time that state or federal law requires for all election related materials.”

X. Section 7-13-1710 of the 1976 Code is amended to read:

“Section 7-13-1710. In every county, city or town providing voting machines, the board of voter registration and elections shall furnish to the managers of election a sufficient number of ballots ~~printed on clear white paper, of such form and size as will fit the ballot frames of the machines, the arrangement of the names of the candidates on such ballots to be~~ prescribed by the board of voter registration and elections. Ballot cards for all precincts shall be sourced solely by the State Election Commission. Party nominations shall be arranged on each voting machine either in columns or horizontal rows, as shall nominations by petition, and the captions of the various ballots on such machines shall be so placed as to indicate to the voter what push knob, key lever or other device is to be used or operated in order to vote for the candidate or candidates of his choice.”

Y. Section 7-13-440 of the 1976 Code is repealed.

Z. Section 7-3-40 of the 1976 Code is amended to read:

“Section 7-3-40. The Bureau of Vital Statistics must furnish the executive director a monthly report of all persons eighteen years of age

THURSDAY, MAY 5, 2022

or older who have died in the State and all qualified electors eighteen years of age or older who have died out-of-state since making the previous report. All reports must contain the name of the deceased, county of residence, his social security or other identification number, and his date and place of birth. The bureau must provide this information at no charge.”

AA. Section 7-5-186 of the 1976 Code is amended to read:

“Section 7-5-186. (A)(~~H~~) The State Election Commission shall establish and maintain a statewide voter registration database that must be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law. The executive director must conduct a general registration list maintenance program every year to protect the integrity of the electoral process by ensuring the maintenance of accurate and current voter registration records in the statewide voter registration system. The program must be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965, the National Voter Registration Act of 1993, and the Help America Vote Act of 2002.

(~~2~~)(a)(B) State agencies, including, but not limited to, the Department of Health and Environmental Control, Office of Vital Statistics, Department of Motor Vehicles, Department of Employment and Workforce, and the Department of Corrections, shall provide information and data to the State Election Commission that the commission considers necessary in order to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. The State Election Commission shall ensure that any information or data provided to the State Election Commission, which is confidential in the possession of the entity providing the data, remains confidential while in the possession of the State Election Commission.

(~~b~~)(C) ~~Information provided under this division for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector only must be updated as a result of the elector’s actions in filing a notice of change of name, change of address, or both~~ The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. The executive director is authorized to cause at his discretion the official list of electors to be compared to the National Change of Address information supplied by the United

THURSDAY, MAY 5, 2022

States Postal Service through its licensees periodically for the purpose of identifying those electors whose addresses have changed. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the State providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.

~~(e)~~(D) A county board of voter registration and elections shall ~~contact~~ send a notice to a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if information provided under subsection ~~(A)(2)(a)~~ (B) and (C) of this section identifies a discrepancy between the information regarding that elector that is maintained in the statewide voter registration database and maintained by a state agency. The notice as described in Section 7-5-330(F)(2) must be sent within seven days after identification of a discrepancy.

~~(3) The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the state providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database."~~

BB. Sections 7-5-330 and 7-5-340 of the 1976 Code are amended to read:

“Section 7-5-330. (A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty days before the date of the election.

(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the

THURSDAY, MAY 5, 2022

voter registration agency no later than thirty days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file within seven days after receipt of the report from the county board of voter registration and elections and ~~may~~ shall remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) 'Notice', as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty days before the date of the election. If the card is not returned, affirmation or confirmation of the

THURSDAY, MAY 5, 2022

qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.

Section 7-5-340. The State Election Commission shall:

(1) ensure that the name of a qualified elector ~~may not be~~ is removed from the official list of eligible voters ~~except~~ within seven days of receipt of information confirming:

(a) ~~at~~ the request of the qualified elector to be removed;

(b) ~~if~~ the elector is adjudicated mentally incompetent by a court of competent jurisdiction; ~~or~~

(c) ~~as provided under item (2);~~

~~(2) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of:~~

~~(a) the death of the qualified elector; or~~

~~(b)(d) a change in the residence of the qualified elector to a place outside the county in which the qualified elector is registered when such confirmation is received from the qualified elector in writing;~~

~~(3)(2) inform applicants under Sections 7-5-155, 7-5-310, and 7-5-320 of:~~

~~(a) voter eligibility requirements; and~~

~~(b) penalties provided by law for submission of a false voter registration application;~~

~~(4)(3) complete, no later than ninety days before the date of a statewide primary or general election, a program to systematically remove the names of ineligible voters from the official lists of eligible voters in compliance with the provisions of Section 7-5-330(F); this ~~subitem~~ item may not be construed to preclude:~~

THURSDAY, MAY 5, 2022

(a) the removal of names from official lists of voters on a basis described in ~~items~~ item (1) ~~and (2)~~; or

(b) correction of registration records pursuant to this article.”

CC. Chapter 25, Title 7 of the 1976 Code is amended by adding:

“Section 7-25-30. The State Law Enforcement Division shall establish a public reporting hotline telephone number and email address for receiving reports of possible election fraud or other violations of the election laws of this State and promptly shall investigate all reported violations.”

DD. Article 6, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7-5-350. The State Election Commission shall report to the General Assembly annually regarding the commission’s actions taken to maintain the accuracy of the statewide voter registration database/list maintenance including, but not limited to, number of voters removed and the reason for such removal from the official list of eligible voters, voters placed on inactive status, new voter registrations, and voter registration updates or address changes. This annual report must be delivered to the President of the Senate and the Speaker of the House of Representatives by January fifteenth of each year.”

EE. Chapter 1, Title 7 of the 1976 Code is amended by adding:

“Section 7-1-110. (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have an unconditional right to intervene on behalf of their respective bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action.

(C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted is requested to allow the President, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

THURSDAY, MAY 5, 2022

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.”

FF. Section 7-3-20(C) of the 1976 Code is amended by adding appropriately numbered items to read:

“() conduct, in conjunction with the county boards of voter registration and elections, as necessary, postelection hand-count audits after each statewide general election. Five percent of all ballots cast in each county must be audited pursuant to this item unless the commission determines a higher percentage is warranted;

() establish other methods of auditing election results which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing, ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director. Once completed, audit reports must be published on the commission’s website;”

GG. Section 7-25-20 of the 1976 Code is amended to read:

“Section 7-25-20. It is unlawful for a person to fraudulently:

- (1) procure the registration of a name on the books of registration;
- (2) offer or attempt to vote that name;
- (3) offer or attempt to vote in violation of this title or under any false pretense as to circumstances affecting his qualifications to vote; or
- (4) aid, counsel, or abet another in fraudulent registration or fraudulent offer or attempt to vote.

A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not less than one ~~hundred thousand~~ hundred thousand dollars nor more than five ~~hundred thousand~~ hundred thousand dollars ~~or and imprisoned not more than one year, or both~~ five years.”

HH. Section 7-25-110 of the 1976 Code is amended to read:

THURSDAY, MAY 5, 2022

“Section 7-25-110. It is unlawful for a person qualified to vote at any general, special, or primary election for an office whether local, state, or federal to vote more than once at such election, for the same office. A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined ~~in the discretion of the court or~~ not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than ~~three~~ five years.”

II. Section 7-25-120 of the 1976 Code is amended to read:

“Section 7-25-120. It is unlawful for a person to impersonate or attempt to impersonate another person for the purpose of voting in a general, special, or primary election, whether municipal or State. A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be imprisoned not more than ~~three~~ five years ~~or~~ and fined not less than ~~three hundred one thousand~~ twelve hundred five thousand dollars, ~~or both.~~ When a person who violates the provisions of this section is placed under bond, the bond may not be less than six hundred dollars nor more than twelve hundred dollars.”

JJ. Section 7-25-160 of the 1976 Code is amended to read:

“Section 7-25-160. A manager at any general, special, or primary election in this State who wilfully violates any of the duties devolved by law upon such position is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred one thousand~~ five hundred one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years. A manager who commits fraud or corruption in the management of such election is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not more than ~~five hundred one thousand~~ five hundred one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years, ~~or both.~~”

KK. Section 7-25-170 of the 1976 Code is amended to read:

“Section 7-25-170. An officer, other than a manager at any election, on whom a duty is imposed by this title, except under Section 7-13-1170, Articles 1 and 3 of Chapter 17 and Chapters 19 and 23 of this title, who wilfully neglects such duty or engages in corrupt conduct in executing it is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred one thousand~~ five hundred one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years.”

LL. The General Assembly finds that the sections presented in this act constitute one subject as required by Section 17, Article III of the

THURSDAY, MAY 5, 2022

South Carolina Constitution, 1895, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of election reform as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

MM. 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 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.

NN. 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. /

Renumber sections to conform.

Amend title to conform.

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

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

[HJ]

THURSDAY, MAY 5, 2022

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

Total--107

THURSDAY, MAY 5, 2022

Those who voted in the negative are:

Total--0

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

**S. 1178--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. B. NEWTON, with unanimous consent, it was ordered that S. 1178 be read the third time tomorrow.

S. 984--DEBATE ADJOURNED

The following Bill was taken up:

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

POINT OF ORDER

Rep. G. R. SMITH raised the Point of Order that S. 984 violated Article III, Section 15, of the South Carolina Constitution. Rep. G. R. SMITH stated that the Bill enacted a tax and raised revenue.

The SPEAKER took the Point of Order under advisement.

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

SPEAKER *PRO TEMPORE* IN CHAIR

STATEMENT BY REP. STAVRINAKIS

REP. STAVRINAKIS made a statement relative to Rep. COGSWELL'S service in the House.

[HJ]

THURSDAY, MAY 5, 2022

STATEMENT BY REP. COGSWELL

Rep. COGSWELL made a statement relative to his service in the House.

SPEAKER IN CHAIR

H.S. 984--RECONSIDERED AND REQUESTS FOR DEBATE

Rep. TAYLOR moved to reconsider the vote whereby debate was adjourned on the following Bill, which was agreed to:

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

SPEAKER'S RULING ON POINT OF ORDER

The SPEAKER overruled the Point of Order and stated that the Bill related to the definition of a fee and did not contain a tax prohibited by Article III, Section 15.

Reps. STAVRINAKIS, RUTHERFORD, HARDEE, CRAWFORD, WETMORE, BURNS, HADDON, MAGNUSON, NUTT, G. R. SMITH, TRANTHAM, MAY, MCCABE, MCGARRY, RIVERS, KIRBY, S. WILLIAMS, MCGINNIS, CHUMLEY and LONG requested debate on the Bill.

LEAVE OF ABSENCE

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

S. 17--AMENDED AND ORDERED TO THIRD READING

The following Joint Resolution was taken up:

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

[HJ]

THURSDAY, MAY 5, 2022

Rep. COBB-HUNTER proposed the following Amendment No. 1 to S. 17 (COUNCIL\VR\17C001.NBD.VR22), which was adopted:

Amend the joint resolution, as and if amended, SECTION 2, by striking item (3) and inserting:

/ (3) 'Development approval' means an approval issued by the State, an agency or subdivision of the State, regardless of the form of the approval, that is for the development of land or for the provision of water or wastewater services by a governmental entity, including:

(a) a coastal zone consistency certification issued by the department's Office of Ocean and Coastal Resource Management;

(b) a water or wastewater permit issued by the department, including authorization for construction and installation of lines and infrastructure extending water and sewer service and authorization to connect to available or proposed lines and infrastructure;

(c) a critical area permit issued by the department's Office of Ocean and Coastal Resource Management; and

(d) an air quality permit issued by the department. /

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

/ SECTION 4. This joint resolution may not be construed or implemented to:

(1) extend a permit or approval issued by the United States or its agencies or instrumentalities;

(2) extend a permit or approval issued by the department pursuant to authority delegated by the United States or its agencies or instrumentalities;

(3) extend a permit or approval for which the term or duration of the permit or approval is specified or determined pursuant to federal law;

(4) shorten the duration that a development approval would have had in the absence of this joint resolution;

(5) prohibit the granting of additional extensions provided by law;

(6) affect an administrative consent order issued by the department in effect or issued at any time from the effective date of this resolution to December 31, 2023;

(7) affect the ability of a governmental entity to revoke or modify a development approval pursuant to law or the issued permit;

THURSDAY, MAY 5, 2022

(8) modify a requirement of law that is necessary to retain federal delegation by the State of the authority to implement a federal law or program;

(9) affect a Certificate of Need issued pursuant to Article 3, Chapter 7, Title 44 of the 1976 Code or a Demonstration of Need issued pursuant to Article 2, Chapter 96, Title 44 of the 1976 Code; or

(10) affect SCDHEC-OCRM permits issued pursuant to R.30-12(N) Access to Coastal Islands. /

Re-number sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

The amendment was then adopted.

Rep. JORDAN proposed the following Amendment No. 2 to S. 17 (COUNCIL\DG\17C001.NBD.DG22), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 3 and inserting:

/ SECTION 3. This joint resolution is intended to apply retroactively. For development approval that is current and valid at any point during the period beginning December 1, 2016, and ending December 31, 2023, the running of the period of the development approval and any associated vested right is suspended during the period beginning December 1, 2016, and ending December 31, 2023. /

Re-number sections to conform.

Amend title to conform.

Rep. JORDAN explained the amendment.

The amendment was then adopted.

Rep. COBB-HUNTER explained the Joint Resolution.

The question recurred to the passage of the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bamberg
Bannister	Bennett	Bernstein

[HJ]

THURSDAY, MAY 5, 2022

Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kirby	Ligon	Long
Lucas	Magnuson	Matthews
McCrary	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Rivers	Sandifer	Simrill
G. M. Smith	G. R. Smith	Stavrinnakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Dabney

Total--1

[HJ]

THURSDAY, MAY 5, 2022

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

STATEMENT FOR JOURNAL

I did not vote on S. 17 due to a potential conflict of interest.
Rep. Phillip Lowe

S. 615--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 615 -- Senators Young and Campsen: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

Reps. ALLISON, ELLIOTT, ERICKSON, BRAWLEY, KIRBY, GOVAN, HOSEY, HENEGAN, THIGPEN, J. MOORE, HENDERSON-MYERS, COBB-HUNTER, OTT, ANDERSON, BENNETT, BRADLEY, S. WILLIAMS, RIVERS, MCDANIEL, LONG, NUTT, DILLARD, MAY, ATKINSON, HAYES and G. R. SMITH requested debate on the Bill.

S. 953--ORDERED TO THIRD READING

The following Bill was taken up:

S. 953 -- Senator Verdin: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Rep. JONES explained the Bill.

THURSDAY, MAY 5, 2022

The yeas and nays were taken resulting as follows:

Yeas 90; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Bailey
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Clyburn
Cobb-Hunter	Collins	W. Cox
Crawford	Dabney	Davis
Dillard	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gilliam	Govan
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	D. C. Moss
V. S. Moss	B. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Sandifer
Simrill	G. M. Smith	G. R. Smith
Stavrinakis	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--90

Those who voted in the negative are:

Total--0

[HJ]

THURSDAY, MAY 5, 2022

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

STATEMENT FOR JOURNAL

I was working with members on legislation during the vote on S. 953. I would have voted in favor of the Bill.

Rep. Jason Elliott

S. 953--ORDERED TO BE READ THIRD TIME TOMORROW

On motion of Rep. JONES, with unanimous consent, it was ordered that S. 953 be read the third time tomorrow.

H. 5337--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 5337 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. HUGGINS explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	W. Cox
Crawford	Dabney	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gilliam
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan

[HJ]

THURSDAY, MAY 5, 2022

Hewitt	Hill	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kirby	Ligon
Long	Lucas	Magnuson
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
S. Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

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

**H. 5337--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. HUGGINS, with unanimous consent, it was ordered that H. 5337 be read the third time tomorrow.

H. 5338--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 5338 -- Regulations and Administrative Procedures Committee: A
JOINT RESOLUTION TO APPROVE REGULATIONS OF THE

[HJ]

THURSDAY, MAY 5, 2022

SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. HUGGINS explained the Joint Resolution.

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	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Garvin
Gilliam	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kirby	Ligon	Long
Lucas	Magnuson	Matthews
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Rose

[HJ]

THURSDAY, MAY 5, 2022

Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Stavrinnakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	S. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

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

**H. 5338--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. HUGGINS, with unanimous consent, it was ordered that H. 5338 be read the third time tomorrow.

RECURRENCE TO THE MORNING HOUR

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

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Wednesday, May 4, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Climer, Fanning and Kimbrell to the Committee of Conference on the part of the Senate on S. 506:

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL

[HJ]

THURSDAY, MAY 5, 2022

NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Very Respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 4, 2022

Mr. Speaker and Members of the House of Representatives:

The Senate respectfully informs your Honorable Body that it has confirmed the Governor's reappointment of:

LOCAL REAPPOINTMENT
Allendale County Master-in-Equity
Term Commencing: 12/31/2022
Term Expiring: 12/31/2028

The Honorable Walter H. Sanders, Jr.
167 Allendale Fairfax Highway
PO Box 840
Fairfax, South Carolina 29827

Very Respectfully,
President of the Senate
Received as information.

REPORTS OF STANDING COMMITTEES

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

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams,

[HJ]

THURSDAY, MAY 5, 2022

Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms, McElveen and Gustafson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

Ordered for consideration tomorrow.

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

S. 2 -- Senators Peeler, Malloy, McElveen, Hembree, Senn, Kimbrell and Turner: A BILL TO AMEND CHAPTER 1, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO CREATE THE DIVISION OF PUBLIC HEALTH, TO DELEGATE TO THE DIVISION THE PUBLIC HEALTH RESPONSIBILITIES OF THE DEPARTMENT, TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT BY THE GOVERNOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT TO THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF NATURAL RESOURCES, AS APPROPRIATE; TO AMEND CHAPTER 9, TITLE 44, RELATING, IN PART, TO THE DEPARTMENT OF MENTAL

[HJ]

THURSDAY, MAY 5, 2022

HEALTH, SO AS TO CREATE THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, WITH EXCEPTIONS, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 SO AS TO TRANSFER FROM THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF VETERANS' AFFAIRS THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; TO AMEND SECTIONS 44-11-10, 44-11-60, 44-11-70, 44-13-20, 44-13-30, 44-13-40, 44-13-60, 44-15-10, 44-15-20, 44-15-30, 44-15-60, 44-15-70, 44-15-80, 44-15-90, 44-17-450, 44-17-460, 44-17-580, 44-17-860, 44-17-865, 44-17-870, 44-22-10, 44-22-110, 44-24-10, 44-25-30, 44-27-10, 44-27-30, 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, AND 44-28-370, RELATING TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES; BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER TO THE DIVISION THE DIVISIONS, OFFICES, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND SECTION 46-3-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD THE ADMINISTRATION OF THE DIVISION OF ENVIRONMENTAL PROTECTION; TO AMEND SECTIONS 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-14-20, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-43-10, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 49-5-30, AND 49-5-60, RELATING TO ENVIRONMENTAL PROTECTION FUNDS, STORMWATER MANAGEMENT AND SEDIMENT REDUCTION, EROSION AND

[HJ]

THURSDAY, MAY 5, 2022

SEDIMENT REDUCTION, MINING, OIL AND GAS CONSERVATION AND PRODUCTION, RADIOACTIVE WASTE, ENVIRONMENTAL AWARENESS AND INNOVATION, INFORMATION TECHNOLOGY EQUIPMENT RECOVERY, AND GROUNDWATER, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTIONS 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-280, 48-3-10, AND 48-3-140, RELATING TO THE POLLUTION CONTROL ACT OR POLLUTION CONTROL FACILITIES, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-4-10, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO TRANSFER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AND OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTIONS 48-39-10, 48-39-35, 48-39-50, 48-39-270, 48-40-20, 48-40-40, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-80, 49-4-170, 49-6-30, 49-11-120, RELATING TO COASTAL TIDELANDS AND WETLANDS, THE BEACH RESTORATION AND IMPROVEMENT TRUST ACT, NAVIGABLE WATERS, WATER RESOURCES PLANNING, SURFACE WATER WITHDRAWAL REGULATION AND REPORTING, THE AQUATIC PLANT MANAGEMENT COUNCIL, DAM AND RESERVOIR SAFETY, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND THE DEPARTMENT OF MENTAL HEALTH, AND TO ADD THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-20, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CHANGE THE REFERENCE TO THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-75, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 1-30-45 RELATING TO

[HJ]

THURSDAY, MAY 5, 2022

THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 1-30-70 RELATING TO THE DEPARTMENT OF MENTAL HEALTH, AND SECTIONS 44-11-30 AND 44-11-40 RELATING TO VETERANS HOMES.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 5349 -- Reps. W. Cox, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoun, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE PIEDMONT LIONS CLUB ON THE OCCASION OF ITS 70TH ANNIVERSARY AND TO SALUTE THE CLUB FOR NEARLY THREE QUARTERS OF A CENTURY OF COMMUNITY SERVICE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5350 -- Reps. Wetmore, Finlay, Cogswell and Murray: A HOUSE RESOLUTION TO URGE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL NOT TO ISSUE ANY PERMITS THAT WOULD DIRECTLY OR INDIRECTLY ALLOW, OR LEAD TO, THE EXCAVATION OR DREDGE DISTURBANCES OF LOW LYING MARSH AND TIDEWATERS

[HJ]

THURSDAY, MAY 5, 2022

ON OR BELOW THE CRITICAL LINE FOR THE PURPOSE OF THE MONETIZATION OF PUBLIC LANDS FOR FINANCIAL GAIN.

The Resolution was ordered referred to the Committee on Judiciary.

HOUSE RESOLUTION

The following was introduced:

H. 5351 -- Reps. Parks, 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, 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 HONOR THE GRADUATES OF THE GREENWOOD HIGH SCHOOL CLASS OF 1972 ON THE OCCASION OF THEIR GOLDEN ANNIVERSARY, TO CONGRATULATE THEM ON THEIR MANY SUCCESSES AND ACHIEVEMENTS, AND TO RECOGNIZE THEIR VALIANT EFFORTS IN OVERCOMING ADVERSITY.

The Resolution was adopted.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1316 -- Senator Gambrell: A CONCURRENT RESOLUTION TO CONGRATULATE THE DAUGHTERS OF THE AMERICAN REVOLUTION, MT. ARIEL CHAPTER, AT THE DEDICATION OF ITS AMERICA 250 PATRIOTS MARKER AND TO SALUTE THE DAR CHAPTER ON ITS NEW PROGRAM TO COMMEMORATE

[HJ]

THURSDAY, MAY 5, 2022

AMERICAN REVOLUTIONARY WAR PATRIOTS IN CONJUNCTION WITH OUR NATION'S TWO HUNDRED FIFTIETH ANNIVERSARY CELEBRATION IN 2026.

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

INTRODUCTION OF BILL

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

S. 1270 -- Senators Peeler, Fanning, Climer and M. Johnson: A BILL TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

On motion of Rep. POPE, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

S. 236--DEBATE ADJOURNED

The following Bill was taken up:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE

THURSDAY, MAY 5, 2022

FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

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

S. 1025--DEBATE ADJOURNED

The following Bill was taken up:

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

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

S. 243--DEBATE ADJOURNED

The following Bill was taken up:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

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

S. 560--DEBATE ADJOURNED

The following Joint Resolution was taken up:

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S

THURSDAY, MAY 5, 2022

PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

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

S. 1092--DEBATE ADJOURNED

The following Bill was taken up:

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

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

S. 133--DEBATE ADJOURNED

The following Joint Resolution was taken up:

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn and Fanning: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND

[HJ]

THURSDAY, MAY 5, 2022

FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

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

S. 1031--DEBATE ADJOURNED

The following Bill was taken up:

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

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

S. 202--DEBATE ADJOURNED

The following Bill was taken up:

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

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

S. 906--DEBATE ADJOURNED

The following Bill was taken up:

S. 906 -- Senator Shealy: A BILL TO AMEND SECTION 43-35-10(3) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "EXPLOITATION" IN THE "OMNIBUS ADULT PROTECTION ACT", TO AMEND THE DEFINITION OF "EXPLOITATION" TO INCLUDE THE EXERCISE OF EXTREME UNDUE INFLUENCE

THURSDAY, MAY 5, 2022

OVER, COERCIVE PERSUASION OF, OR PSYCHOLOGICALLY DAMAGING MANIPULATION OF A VULNERABLE ADULT; AND TO FURTHER AMEND SECTION 43-35-10 BY ADDING A DEFINITION FOR "UNDUE INFLUENCE".

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

S. 1237--DEBATE ADJOURNED

The following Bill was taken up:

S. 1237 -- Senators McLeod, Matthews, Shealy, Senn, Gustafson and Malloy: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

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

S. 1077--POINT OF ORDER

The following Bill was taken up:

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

THURSDAY, MAY 5, 2022

POINT OF ORDER

Rep. HERBKERSMAN made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 1045--POINT OF ORDER

The following Bill was taken up:

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO

[HJ]

THURSDAY, MAY 5, 2022

GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

POINT OF ORDER

Rep. HERBKERSMAN made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

THURSDAY, MAY 5, 2022

S. 945--POINT OF ORDER

The following Bill was taken up:

S. 945 -- Senators Hembree and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2023.

POINT OF ORDER

Rep. HERBKERSMAN made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 969--POINT OF ORDER

The following Bill was taken up:

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

POINT OF ORDER

Rep. HERBKERSMAN made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

[HJ]

THURSDAY, MAY 5, 2022

The SPEAKER sustained the Point of Order.

S. 1024--DEBATE ADJOURNED

The following Bill was taken up:

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

H. 5278--POINT OF ORDER

The following Joint Resolution was taken up:

H. 5278 -- Rep. G. M. Smith: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2022-2023 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

POINT OF ORDER

Rep. G. M. SMITH made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 1032--POINT OF ORDER

The following Bill was taken up:

S. 1032 -- Senators Martin, Verdin, Kimbrell, Garrett, Senn and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT

[HJ]

THURSDAY, MAY 5, 2022

WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

POINT OF ORDER

Rep. HERBKERSMAN made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

H. 5288--ORDERED TO THIRD READING

The following Bill was taken up:

H. 5288 -- Reps. Weeks and G. M. Smith: A BILL TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.

Rep. WEEKS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 0

Those who voted in the affirmative are:

[HJ]

THURSDAY, MAY 5, 2022

Alexander	Allison	Anderson
Bailey	Bamberg	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Collins
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Forrest
Fry	Garvin	Gilliam
Gilliard	Govan	Haddon
Henderson-Myers	Henegan	Hewitt
Hill	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. L. Johnson	K. O. Johnson
Kirby	Ligon	Long
Lucas	Matthews	May
McCabe	McCrary	McGarry
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--91

Those who voted in the negative are:

Total--0

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

THURSDAY, MAY 5, 2022

**H. 5288--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. WEEKS, with unanimous consent, it was ordered that H. 5288 be read the third time tomorrow.

S. 152--REQUESTS FOR DEBATE WITHDRAWN

Reps. BRAWLEY, ALLISON, MCGARRY, GILLIARD, K. O. JOHNSON and HOWARD withdrew their requests for debate on S. 152; however, other objections remained on the Bill.

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, Calhoun 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 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. OTT moved to adjourn debate on the Senate Amendments, which was agreed to.

THURSDAY, MAY 5, 2022

H. 5150--DEBATE ADJOURNED

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

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

S. 628--RETURNED TO THE SENATE WITH AMENDMENTS

The following Bill was taken up:

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A

[HJ]

THURSDAY, MAY 5, 2022

PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

The Bill was read the third time and ordered returned to the Senate with amendments.

Rep. OTT 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. 4043 -- Reps. R. Williams and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOFFMEYER ROAD IN DARLINGTON COUNTY WEST OF THE DARLINGTON/FLORENCE COUNTY LINE TO A POINT WEST OF ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 340 "TERRENCE CARRAWAY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

THURSDAY, MAY 5, 2022

ADJOURNMENT

At 1:12 p.m. the House in accordance with the motion of Rep. OTT
adjourned to meet at 10:00 a.m. tomorrow.

THURSDAY, MAY 5, 2022

H. 3346	100	S. 615	77
H. 4043	102	S. 628	101
H. 5150	101	S. 635	12
H. 5252	10	S. 637	11
H. 5278	97	S. 812	11
H. 5288	98, 100	S. 906	92
H. 5337	79, 80	S. 908	11, 23, 28, 45
H. 5338	80, 82	S. 934	12
H. 5339	5	S. 945	95
H. 5349	87	S. 946	9
H. 5350	87	S. 953	77, 79
H. 5351	88	S. 969	96
		S. 984	72, 73
S. 2	84	S. 1024	97
S. 17	73	S. 1025	90
S. 17	73	S. 1031	92
S. 133	91	S. 1032	97
S. 152	100	S. 1045	94
S. 158	9	S. 1077	93
S. 202	92	S. 1087	83
S. 222	13, 15	S. 1092	91
S. 233	10	S. 1103	8
S. 236	15, 27, 89	S. 1106	9
S. 243	90	S. 1178	13, 46, 72
S. 449	3	S. 1237	93
S. 460	15	S. 1264	6, 8
S. 506	82	S. 1270	89
S. 533	9	S. 1292	6
S. 560	90	S. 1316	88