

NO. 60

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

---

THURSDAY, MAY 12, 2022  
(STATEWIDE SESSION)

**Thursday, May 12, 2022**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 11:00 a.m.

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

Our thought for today is from Proverbs 19:20: "Listen to the advice and accept instructions, that you may gain wisdom for the future."

Let us pray. As we come to the end of another legislative year, we thank You for Your blessings. We are grateful for Your concern and Your guidance. We give thanks for those who support us: the ladies on the desk, legislative aids, staff, security personnel, maintenance staff, pages, those who care for our health, and for these Representatives as they have strived to achieve good things for the people. Guide and protect each as they return home to their families and community. Continue to look in favor upon our World, Nation, President, State, Governor, and Speaker. Protect our first responders and those who defend us at home and abroad. Heal the wounds, those seen and those hidden of our brave 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.

**MOTION ADOPTED**

Rep. CALHOON moved that when the House adjourns, it adjourn in memory of Thomas "Tommy" Cecil Harman, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 12, 2022

Mr. Speaker and Members of the House of Representatives:

**THURSDAY, MAY 12, 2022**

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

LOCAL REAPPOINTMENT  
Clarendon County Master-in-Equity  
Term Commencing: 06/30/2022  
Term Expiring: 06/30/2028

The Honorable Joseph K. Coffey  
PO Box 1292  
Manning, South Carolina 29102

Very Respectfully,  
President of the Senate

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 12, 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  
Charleston County Master-in-Equity  
Term Commencing: 12/24/2022  
Term Expiring: 12/24/2028

The Honorable Mikell R. Scarborough  
100 Broad Street, Suite 266  
Charleston, South Carolina 296401

Very Respectfully,  
President of the Senate

Received as information.

[HJ]

THURSDAY, MAY 12, 2022

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
Davis	Dillard	Elliott
Erickson	Felder	Finlay
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	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
A. M. 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	Stavrinakis
Taylor	Tedder	Thayer
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis

[HJ]

**THURSDAY, MAY 12, 2022**

Wooten

Yow

**Total Present--116**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. G. R. SMITH a leave of absence for the day due to family medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. M. M. SMITH a leave of absence for the day to attend his child's graduation ceremony.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. THIGPEN a leave of absence for the day due to a professional commitment.

**LEAVE OF ABSENCE**

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

**STATEMENT FOR THE JOURNAL**

Mr. Speaker and Clerk of the House,

I was absent due to illness on Tuesday, May 10, 2022. I attempted to request leave by email but the message was not successfully delivered.

Rep. Leon Stavrinakis

**DOCTOR OF THE DAY**

Announcement was made that Dr. Scott Weitzel of Columbia was the Doctor of the Day for the General Assembly.

**S. 1235--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1235 -- Senator Matthews: A BILL TO AMEND ACT 190 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION DISTRICTS, TO UPDATE

[HJ]

**THURSDAY, MAY 12, 2022**

THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO REMOVE ARCHAIC LANGUAGE.

The yeas and nays were taken resulting as follows:

Yeas 80; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bennett	Blackwell
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Dabney	Daning
Davis	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gilliam	Gilliard
Haddon	Hart	Hayes
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	McCabe
McCrary	McDaniel	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	Murphy	Murray
B. Newton	Oremus	Pendarvis
Pope	Sandifer	Simrill
G. M. Smith	Stavrinakis	Taylor
Tedder	Weeks	Wheeler
Whitmire	R. Williams	Willis
Wooten	Yow	

**Total--80**

Those who voted in the negative are:

**Total--0**

[HJ]

5

**THURSDAY, MAY 12, 2022**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on S. 1235. If I had been present, I would have voted in favor of the Bill.

Rep. Jason Elliott

**RETURNED TO THE SENATE WITH AMENDMENTS**

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

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.

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 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.

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: A BILL TO ENACT THE

**THURSDAY, MAY 12, 2022**

"COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF



**THURSDAY, MAY 12, 2022**

SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

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, Fanning and Alexander: 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 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.

**ORDERED ENROLLED FOR RATIFICATION**

The following Joint Resolution 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. 1314 -- Transportation 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.

**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

[HJ]

**THURSDAY, MAY 12, 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. W. NEWTON moved to adjourn debate on the Bill, which was agreed to.

**STATEMENT BY REP. GOVAN**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**STATEMENT BY REP. BALLENTINE**

REP. BALLENTINE made a statement relative to Rep. HUGGINS'S service in the House.

**STATEMENT BY REP. HUGGINS**

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

**H. 4075--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

Reps. J. E. JOHNSON and ROSE proposed the following Amendment No. 4A to H. 4075 (COUNCIL\AHB\4075C002.BH.AHB22), which was adopted:

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

/ SECTION \_\_. Article 7, Chapter 3, Title 23 of the 1976 Code is amended by adding:

[HJ]

**THURSDAY, MAY 12, 2022**

“Section 23-3-437. A juvenile convicted of an offense in family court who is required to register pursuant to the provisions of this article who has his record expunged, sealed, or receives a pardon must be removed from the registry by SLED.” /

Amend the bill further, by deleting SECTION 4 and inserting:

/ SECTION 4. Article 7, Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Section 23-3-462. (A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender’s name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:

(a) after having been registered for at least fifteen years if the offender was required to register based on an adjudication of delinquency or the offender was required to register as a Tier I offender;

(b) after having been registered for at least twenty-five years, if the offender was convicted as an adult, and was required to register as a Tier II offender;

(c) an offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(3) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(4) The requesting offender must not have been convicted of failure to register within the previous ten years.

(5) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

**THURSDAY, MAY 12, 2022**

(6) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

(B) Upon receipt of the request for termination, SLED shall review documentation provided by the offender and contained in the offender's file and the sex offender registry to determine whether the offender has complied with the requirements of this section. In addition, SLED shall conduct fingerprint-based state and federal criminal history checks to determine whether the offender has been convicted of any additional sexual offenses, as defined in Section 23-3-430.

(C) If all the requirements of this section are verified, SLED shall, within one hundred twenty days of receipt of the request for termination, remove an offender's name from the registry and notify the offender that the offender is no longer required to comply with the registry requirements of this article.

(D) If it is determined that the offender has been convicted of any additional sexual offenses or violent sexual offenses during the applicable period, has not substantially complied with this section, or an objection has been filed by the original prosecuting agency, SLED shall not remove the offender's name from the sex offender registry and shall notify the offender that the offender has not been relieved of the provisions in this article.

(1) If an offender is denied a termination request, the offender may petition again for termination with SLED no sooner than five years after the previous denial.

(2) If an offender is denied a termination request based on conviction of any additional sexual offenses or violent sexual offenses, the offender may not submit a petition to SLED for termination unless the subsequent conviction is overturned or pardon granted.

(E) An offender whose request for termination of registration requirements is denied by SLED is entitled to appeal the denial to the general sessions court pursuant to the requirements of Section 23-3-463 for the county in which the conviction occurred if the conviction occurred within the State, or if not, the county in which the offender resides. Individuals placed on the registry as a juvenile should petition the family court that adjudicated them delinquent. The SLED official who denied the request for termination of registration requirements may

**THURSDAY, MAY 12, 2022**

submit an affidavit to the court detailing the reasons the request was denied.

(F) If a person is convicted of multiple offenses requiring registration, and the offenses fall within different tiers, the person only may petition for removal of the registration requirement once the required time passes for the highest tier offense they have been convicted of that requires registration. If a petition based upon this section is denied, the person may not petition again until five years after the date of the final order.” /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. JOHNSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCrary
McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss

[HJ]

**THURSDAY, MAY 12, 2022**

V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pendarvis	Pope	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

**Total--99**

Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**LEAVE OF ABSENCE**

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

**H. 3050--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 3050 -- Reps. D. C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

[HJ]

**THURSDAY, MAY 12, 2022**

Rep. RUTHERFORD proposed the following Amendment No. 1A to H. 3050 (COUNCIL\DG\3050C003.NBD.DG22), which was tabled:

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

/ SECTION \_\_\_\_.A.Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Article 21  
Hate Crimes

Section 16-3-2310. A person who commits an offense contained in this chapter with the intent to assault, intimidate, or threaten a person because of his race, religion, color, sex, age, national origin, sexual orientation, or homelessness is guilty of a felony and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars, or imprisoned not less than two years nor more than fifteen years, or both. Two thousand dollars of a fine and two years of a sentence imposed pursuant to the provisions of this article may not be suspended. A sentence imposed pursuant to the provisions of this section is in addition to any other sentence imposed for another offense and is not a lesser-included offense of another offense; and any sentence imposed pursuant to the provisions of this section must be served consecutively. For purposes of this section, ‘sexual orientation’ means a person’s actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.”

B. Section 16-11-510 of the 1976 Code is amended to read:

“Section 16-11-510. (A) It is unlawful for a person to wilfully and maliciously cut, shoot, maim, wound, or otherwise injure or destroy any horse, mule, cattle, hog, sheep, goat, or any other kind, class, article, or description of personal property, or the goods and chattels of another.

(B) A person who violates the provisions of this section is guilty of a:

- (1) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the injury to the property or the property loss is worth ten thousand dollars or more;
- (2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the injury to the property or the property loss is worth more than two thousand dollars but less than ten thousand dollars;
- (3) misdemeanor triable in magistrates court or municipal court, notwithstanding the provisions of Sections 22-3-540, 22-3-545, 22-3-550, and 14-25-65, if the injury to the property or the property loss

THURSDAY, MAY 12, 2022

is worth two thousand dollars or less. Upon conviction, the person must be fined not more than one thousand dollars, or imprisoned, not more than thirty days, or both.

(C) A person who violates the provisions of subsection (A) with the intent to assault, intimidate, or threaten a person because of his race, religion, color, sex, age, national origin, sexual orientation, or homelessness is guilty of a felony and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars, or imprisoned not less than two years nor more than fifteen years, or both. Two thousand dollars of a fine and two years of a sentence imposed pursuant to the provisions of this subsection may not be suspended. For purposes of this section, ‘sexual orientation’ means a person’s actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.”

C. Section 16-11-520 of the 1976 Code is amended to read:

“Section 16-11-520. (A) It is unlawful for a person to wilfully and maliciously cut, mutilate, deface, or otherwise injure a tree, house, outside fence, or fixture of another or commit ~~any other~~ another trespass upon real property of another person.

(B) A person who violates the provisions of this section is guilty of a:

(1) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the injury to the property or the property loss is worth ten thousand dollars or more;

(2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the injury to the property or the property loss is worth more than two thousand dollars but less than ten thousand dollars;

(3) misdemeanor triable in magistrates court or municipal court, notwithstanding the provisions of Sections 22-3-540, 22-3-545, 22-3-550, and 14-25-65, if the injury to the property or the property loss is worth two thousand dollars or less. Upon conviction, the person must be fined not more than one thousand dollars, or imprisoned not more than thirty days, or both.

(C) A person who violates the provisions of subsection (A) with the intent to assault, intimidate, or threaten a person because of his race, religion, color, sex, age, national origin, sexual orientation, or homelessness is guilty of a felony and, upon conviction, must be fined not less than two thousand dollars nor more than ten thousand dollars, or imprisoned not less than two years nor more than fifteen years, or both. Two thousand dollars of a fine and two years of a sentence imposed



THURSDAY, MAY 12, 2022

pursuant to the provisions of this subsection may not be suspended. For purposes of this section, ‘sexual orientation’ means a person’s actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.”

SECTION \_\_\_\_ . 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. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

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

Reps. W. NEWTON, GILLIARD and BERNSTEIN proposed the following Amendment No. 2 to A to H. 3050 (COUNCIL\SA\3050C002.JN.SA22), which was ruled out of order:

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

/ SECTION \_\_\_\_ . A.This SECTION may be cited as the “Clementa C. Pinckney Hate Crimes SECTION.”

B.Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Article 22

Penalty Enhancements for Certain Crimes

Section 16-3-2410. (A)(1) When a person commits a violent crime as defined in Section 16-1-60 or commits assault by mob in the second degree as defined in Section 16-3-210(C) and the trier of fact determines beyond a reasonable doubt that the offense was committed against a victim who was intentionally selected in whole or in part because of the person’s belief or perception regarding the victim’s race, color, religion, sex, gender, national origin, sexual orientation, or physical or mental

[HJ]

**THURSDAY, MAY 12, 2022**

disability, whether or not the perception is correct, the person is subject to additional penalties as provided in subsection (B).

(2) For purposes of this article, the definition of 'sex' shall conform to the definition as set forth in the majority's holding in *Bostock v. Clayton County, Georgia*, 140 S.Ct. 1731 (2020).

(B) A person who violates the provisions of subsection (A) and commits a violent crime as defined in Section 16-1-60 or commits assault by mob in the second degree as defined in Section 16-3-210(C), upon conviction, is subject to an additional fine of not more than ten thousand dollars and an additional term of imprisonment of up to five years;

(C) The provisions of this section provide for the enhancement of the penalties applicable to underlying offenses. The court shall permit the prosecuting agency and the defense to present evidence relevant to the determination of whether the defendant intentionally selected the person against whom the offense is committed in whole or in part because of the person's belief or perception regarding one or more of the factors provided in subsection (A), whether or not the perception is correct. The court with competent jurisdiction over the underlying offense shall instruct the trier of fact to find a special verdict as to a violation of the provisions of this section.

(D) The additional penalties described in subsection (B) may not be imposed unless the person was indicted, either separately or as a separate count in the indictment for the underlying offense, for the offense pursuant to this section committed against the victim who was intentionally selected, in whole or in part, because of the person's belief or perception regarding one or more of the factors provided in subsection (A), whether or not the perception is correct, and the person was found guilty of the underlying offense." /

Renumber sections to conform.

Amend title to conform.

Rep. BERNSTEIN explained the amendment.

#### **POINT OF ORDER**

Rep. CASKEY raised the Rule 9.3 Point of Order that Amendment No. 2A to H. 3050 was not germane. Rep. CASKEY stated that the substantial effect of the bill was to regulate the certification and qualification processes for law enforcement officers, but the amendment had the effect of creating the elements of a new criminal offense. He

[HJ]

**THURSDAY, MAY 12, 2022**

stated that the amendment went beyond the scope of the bill and was not germane.

The SPEAKER *PRO TEMPORE* sustained the Point of Order.

Rep. CASKEY explained the Senate Amendments.

**APPEAL OF THE RULING OF SPEAKER *PRO TEMPORE*  
RULED OUT OF ORDER**

Rep. MCKNIGHT appealed the ruling of the SPEAKER *PRO TEMPORE*.

The SPEAKER *PRO TEMPORE* stated that the appeal came too late as Rep. CASKEY had the floor and had started explaining the Senate Amendments. He stated the appeal was not timely and ruled it out of order.

Rep. CASKEY continued speaking.

Rep. MCKNIGHT spoke in favor the Senate Amendments.

Rep. GILLIARD spoke against the Senate Amendments.

Rep. KING spoke in favor the Senate Amendments.

Rep. R. WILLIAMS spoke upon the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 4

Those who voted in the affirmative are:

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

[HJ]

**THURSDAY, MAY 12, 2022**

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

**Total--103**

Those who voted in the negative are:

Dabney	Gilliard	McCabe
McCrary		

**Total--4**

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

**RECORD FOR VOTING**

I was delayed and intended to vote "AYE" on H. 3050. Please enter in the Journal.

Rep. Roger Nutt

**THURSDAY, MAY 12, 2022**

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 3050. If I had been present, I would have voted in to concur in the Senate Amendments.

Rep. Rita Allison

**H. 3055--SENATE AMENDMENTS AMENDED AND  
RETURNED TO THE SENATE**

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

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT

THURSDAY, MAY 12, 2022

OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Rep. HIOTT proposed the following Amendment No. 1 to H. 3055 (COUNCIL\DG\3055C001.NBD.DG22), which was adopted:

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

/ SECTION \_\_\_\_ . A. Chapter 60, Title 48 of the 1976 Code is amended to read:

“CHAPTER 60

South Carolina Manufacturer Responsibility and Consumer Convenience Information Technology Equipment Collection and Recovery Act

Section 48-60-05. This chapter may be cited as the ‘South Carolina Manufacturer Responsibility and Consumer Convenience Information Technology Equipment Collection and Recovery Act’.

Section 48-60-10. The General Assembly finds:

(1) Televisions, computing, and printing devices are critical to the development of this state’s economy and the promotion of the quality of life of the citizens of this State.

[HJ]

THURSDAY, MAY 12, 2022

(2) Many of these televisions, computing, and printing devices can be refurbished and reused, or recycled.

(3) Developing and implementing a system for recovering televisions, computing, and printing devices promotes resource conservation, public health, public safety, and economic prosperity.

(4) In order to carry out these purposes, the State must establish a comprehensive and convenient recovery program for televisions, computing, and printing devices based on individual manufacturer responsibility and shared responsibility among consumers, retailers, and government, and that the program must ensure that end-of-life televisions, computing, and printing devices are disposed of in a manner that promote resource conservation through the development of an effective and efficient system for collection and recycling, and to encourage manufacturers to offer convenient collection and recycling service to consumers at no charge.

Section 48-60-20. As used in this chapter:

(1) 'Collect' or 'collection' means to facilitate the delivery of a ~~covered device~~ covered television device or covered computer monitor device to a collection site included in the manufacturer's program, and to transport the ~~eovered device~~ covered television device or covered computer monitor device for recovery.

(2) 'Collector' means a person who collects a covered television device or covered computer monitor device at any program collection site or one-day collection event and prepares them for transport.

(3) 'Computer device', often referred to as a 'personal computer' or 'PC', means a desktop, notebook or tablet computer, or a printing device as further defined below and used only in a residence, but does not mean an automated typewriter, mobile telephone, portable hand-held calculator, portable digital assistant (PDA), MP3 player, or other similar device. 'Computer device' does not include computer peripherals, commonly known as cables, mouse, or keyboard. 'Computer device' is further defined as follows in this item:

(a) 'Desktop computer' means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a desktop computer is achieved through a stand-alone keyboard, stand-alone monitor, or other display unit, and a stand-alone mouse or other pointing device, and is

## THURSDAY, MAY 12, 2022

designed for a single user. A desktop computer has a main unit that is intended to be persistently located in a single location, often on a desk or on the floor. A desktop computer is not designed for portability and generally utilizes an external monitor, keyboard, and mouse with an external or internal power supply for a power source. Desktop computer does not include an automated typewriter or typesetter.

(b) 'Notebook computer' means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a notebook computer is achieved through a keyboard, video display greater than four inches in size, and mouse or other pointing device, all of which are contained within the construction of the unit that comprises the notebook computer; supplemental stand-alone interface devices typically also can be attached to the notebook computer. Notebook computers can use external, internal, or batteries for a power source. Notebook computer does not include a portable hand-held calculator, or a portable digital assistant or similar specialized device. A notebook computer has an incorporated video display greater than four inches in size and can be carried as one unit by an individual. A notebook computer is sometimes referred to as a laptop computer.

(c) 'Tablet computer' means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a tablet computer is achieved through a touch screen and video display screen greater than six inches in size (all of which are contained within the unit that comprises the tablet computer). Tablet computers may use an external or internal power source. Tablet computer does not include a portable hand-held calculator, a portable digital assistant, or a similar specialized device.

(d) 'Printing device' means desktop printers, multifunction printer copiers, and printer/fax combinations taken out of service from a residence that are designed to reside on a work surface, and include various print technologies, including without limitation laser and LED



THURSDAY, MAY 12, 2022

(electrographic), ink jet, dot matrix, thermal, and digital sublimation, and 'multifunction' or 'all-in-one' devices that perform different tasks including, without limitation, copying, scanning, faxing, and printing. Printers do not include floor-standing printers, printers with optional floor stand, point of sale (POS) receipt printers, household printers such as a calculator with printing capabilities or label makers, or non-stand-alone printers that are embedded into products that are not covered devices.

(4) 'Computer manufacturer' means a person who:

(a) manufactures a covered computer device under its own brand for sale or without affixing a brand;

(b) sells in this State a covered computer device produced by another supplier under its own brand or label;

(c) imports covered computer devices; provided that if a company from which an importer purchases a covered computer device has a presence or assets in the United States, that company must be considered the manufacturer; or

(d) manufactures a covered computer device, supplies a covered computer device to a person within a distribution network that includes wholesalers or retailers in this State, and benefits from the sale of a covered device through that distribution network.

~~(3)~~(5) 'Computer monitor manufacturer' means a person who:

(a) manufactures a covered computer monitor device under its own brand for sale or without affixing a brand;

(b) sells in this State a covered computer monitor device produced by another supplier under its own brand or label;

(c) imports covered computer monitor devices; provided that if a company from which an importer purchases a covered computer monitor device has a presence or assets in the United States, that company must be considered the manufacturer; or

(d) manufactures a covered computer monitor device, supplies a covered computer monitor device to a person within a distribution network that includes wholesalers or retailers in this State, and benefits from the sale of a covered device through that distribution network.

(4)(6) 'Consumer' means an occupant of a single detached dwelling unit or a single unit of a multiple dwelling unit who has used a covered device primarily for personal or home business use.

~~(5) 'Consumer electronic device stewardship program' means a recycling effort established by the representative organization or manufacturer of a covered television device or covered computer monitor device.~~

THURSDAY, MAY 12, 2022

~~(6)~~(7) 'Covered computer device' means a desktop, laptop or notebook computer or a printing device marketed and intended for use by a consumer, but does not include a covered television device or covered computer monitor device.

~~(7)~~(8) 'Covered computer monitor device' means ~~a display device typically manufactured without an internal tuner that can display pictures and sound and is designed for use with a desktop computer~~ an electronic device that is a cathode-ray tube or flat panel display primarily intended to display information from a computer and is used by a consumer.

~~(8)~~(9) 'Covered devices' means a covered computer device, covered computer monitor device, and a covered television device marketed and intended for use by a consumer. 'Covered device', 'covered computer device', 'covered computer monitor device', and 'covered television device' do not include:

(a) a covered device that is a part of a motor vehicle or a component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;

(b) a covered device that is functionally or physically a part of, or connected to, or integrated within equipment or a system designed and intended for use in an industrial, governmental, commercial, research and development, or medical setting including, but not limited to, diagnostic, monitoring, control or medical products as defined under the federal Food, Drug, and Cosmetic Act, or equipment used for security, sensing, monitoring, antiterrorism, or emergency services purposes or equipment designed and intended primarily for use by professional users;

(c) a covered device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, air purifier, water heater, or exercise equipment;

(d) telephones of any type including, but not limited to, mobile telephones, a personal digital assistant (PDA), a global positioning system (GPS), or a hand-held gaming device; or

(e) a plastic, wood, or composite case that once held a covered device or was a subassembly of a covered device but is void of any electronics, leaded glass, or metal electronic components.

~~(9)~~(10) 'Covered television device' means an electronic device that contains a ~~tuner that locks on to a selected carrier frequency and is capable of receiving and displaying television or video programming via broadcast, cable, or satellite including, but not limited to, a direct view~~

THURSDAY, MAY 12, 2022

~~or projection television with a viewable screen of nine inches or larger whose display technology is based on cathode ray tube, plasma, liquid crystal display, digital light processing, liquid crystal on silicon, silicon crystal reflective display, light emitting diode, or similar technology marketed and intended for use by a consumer primarily for personal purposes. The term does not include a covered computer device cathode-ray tube or flat panel screen the size of which is greater than four inches when measured diagonally and is intended to receive video programming via broadcast, cable, satellite, Internet, or other mode of video transmission or to receive video from surveillance or other similar cameras marketed and intended for use by a consumer primarily for personal purposes.~~

~~(10)~~(11) 'Department' means the South Carolina Department of Health and Environmental Control.

~~(12)~~ 'Manufacturer clearinghouse' means an entity that prepares and submits a manufacturer electronic waste program plan to the department, and oversees the manufacturer electronic waste program, on behalf of a group of two or more manufacturers cooperating with one another to collectively establish and operate an electronic waste program for the purpose of complying with this chapter and that collectively represent at least fifty-one percent of the manufacturers' total obligations pursuant to this chapter for a program year.

~~(13)~~ 'Manufacturer electronic waste program' means any program established, financed, and operated by a manufacturer, individually or collectively as part of a manufacturer clearinghouse, to transport and subsequently recycle, in accordance with the requirements of this act, covered televisions and computer monitor devices collected at program collection sites and one-day collection events.

~~(14)~~(14) 'Manufacturer's brands' means a manufacturer's name, brand name either owned or licensed by the manufacturer, or brand logo for which the manufacturer otherwise has legal responsibility.

~~(15)~~ 'One-day collection event' means a one-day event used as a substitute for a program collection site pursuant to Section 48-60-56.

~~(12)~~(16) 'Person' means an individual, business entity, partnership, limited liability company, corporation, not-for-profit corporation, association, government entity, public benefit corporation, or public authority.

~~(13)~~ 'Program' means a consumer electronic device stewardship program.

~~(17)~~ 'Program collection site' means a physical location that is included in a manufacturer electronic waste program and at which

THURSDAY, MAY 12, 2022

covered television devices or covered computer monitor devices are collected and prepared for transport by a collector during a program year in accordance with the requirements of this chapter. Except as otherwise provided in this chapter, 'program collection site' does not include a retail collection site.

~~(14)~~(18) 'Program year' means the calendar year.

~~(15) 'Representative organization' means an organization created to develop and oversee implementation of a statewide plan consisting of one or more consumer electronic device stewardship programs, both in the State and in other jurisdictions that authorize such a representative organization.~~

~~(16)~~(19) 'Recover' means to reuse or recycle.

~~(17)~~(20) 'Recoverer' means a person that reuses or recycles a covered device.

~~(21) 'Retail collection site' means a private sector collection site operated by a retailer collecting on behalf of a manufacturer.~~

~~(18)~~(22) 'Retail sale' means the sale of a new product through a sales outlet, the Internet, mail order, or otherwise, whether or not the seller has a physical presence in this State. A retail sale includes the sale of new products.

~~(19)~~(23) 'Retailer' means a person engaged in retail sales.

~~(20)~~(24) 'Sale' or 'sell' means a transfer for consideration of title including, but not limited to, transactions conducted through sales outlets, catalogs, or the Internet or any other similar electronic means, but does not mean leases.

~~(21)~~(25) 'Television' means an electronic device that contains a tuner that locks on to a selected carrier frequency and is capable of receiving and displaying television or video programming via broadcast, cable, or satellite including, but not limited to, a direct view or projection television with a viewable screen of nine inches or larger whose display technology is based on cathode ray tube, plasma, liquid crystal display, digital light processing, liquid crystal on silicon, silicon crystal reflective display, light emitting diode, or similar technology marketed and intended for use by a consumer primarily for personal purposes. The term does not include a covered computer device cathode-ray tube or flat panel screen the size of which is greater than four inches when measured diagonally and is intended to receive video programming via broadcast, cable, satellite, Internet, or other mode of video transmission or to receive video from surveillance or other similar cameras.

~~(22)~~(26) 'Television manufacturer' means a person who:

THURSDAY, MAY 12, 2022

(a) manufactures covered television devices under a brand that it licenses or owns for sale in this State;

(b) manufactures covered television devices without affixing a brand for sale in this State;

(c) resells into this State a covered television device under a brand it owns or licenses produced by other suppliers, including retail establishments that sell covered television devices under a brand the retailer owns or licenses;

(d) imports covered television devices; provided that if a company from which an importer purchases a covered device has a presence or assets in the United States, that company must be considered the manufacturer;

(e) manufactures covered television devices, supplies them to a person or persons within a distribution network that includes wholesalers or retailers in this State and benefits from the sale in this State of those covered television devices through the distribution network; or

(f) assumes the responsibilities and obligations of a television manufacturer ~~under~~ pursuant to this chapter. If the television manufacturer is one who manufactures, sells, or resells under a brand it licenses, the licensor or brand owner of the brand must not be included in the definition of television manufacturer ~~under~~ pursuant to items (a) or (c).

Section 48-60-30. A computer, computer monitor, or television manufacturer may not sell or offer to sell a covered device unless a label indicating the computer, computer monitor, or television manufacturer's brand is permanently affixed to the covered device in a readily visible location.

Section 48-60-40. (A) A computer manufacturer may not sell or offer to sell in this State a covered computer device unless the computer manufacturer provides a recovery program at no charge ~~or provides a financial incentive of equal or greater value, such as a coupon~~. A recovery program must:

(1) require a computer manufacturer to offer to collect from a consumer a covered computer device bearing a label as provided in Section 48-60-30; and

(2) make the collection service as convenient to a consumer as the purchase of a covered computer device from a computer manufacturer as follows:

(a) A computer manufacturer may utilize a mail-back system in which a consumer can return an end-of-life covered device by mail, including a system in which a consumer can go online, print a prepaid

THURSDAY, MAY 12, 2022

shipping label, package the product, and affix the prepaid label to the package for deposit with the United States Postal Service or other carrier selected by the computer manufacturer.

(b) If the computer manufacturer does not provide a mail-back system, the computer manufacturer must provide collection sites or collection events, or both, that are centrally located in a county, region, or other locations based on population. Computer manufacturers shall work in coordination with the department to determine an appropriate number of collection sites or collection events, or both.

(B) A recovery program may use existing collection and consolidation infrastructure for collecting covered devices, including retailers, recyclers, and reuse organizations.

(C) Computer manufacturers may work collectively and cooperatively to offer collection services to consumers.

(D) A recovery program must be described on a computer manufacturer's Internet website if a manufacturer maintains an Internet website.

(E) Collection events under this section must accept any covered computer device.

Section 48-60-51. (A) For program year 2023 and each year thereafter, no television manufacturer or computer monitor manufacturer shall sell or offer for sale a covered television device or covered computer monitor device in this State unless the television manufacturer or computer monitor manufacturer offers a manufacturer electronic waste program to transport and recycle, consistent with the requirements of this chapter, covered television devices and covered computer monitor devices collected at, and prepared for transport from, the program collection sites, and one-day collection events included in the program during the program year.

(B) A manufacturer can satisfy the requirements of this section either individually or collectively as part of a manufacturer clearinghouse.

(C) Each manufacturer electronic waste program must ensure the following, at a minimum:

(1) satisfaction of the convenience standard described in Section 48-60-56;

(2) instructions for counties and solid authorities serving one or more counties to file notice to participate in the program;

(3) transportation and subsequent recycling of the covered television devices and covered computer monitor devices collected at,

THURSDAY, MAY 12, 2022

and prepared for transport from, the program collection sites and one-day collection events included in the program during the program year; and

(4) submission of a report to the department by March 1, 2024, and by March first each year thereafter, which reports:

(a) the total weight of all covered devices transported from program collection sites and one-day collection events statewide during the preceding program year by category of device;

(b) the total weight of all covered devices transported from program collection sites and one-day collection events in each county in the State during the preceding program year by category of device.

(D) Each manufacturer electronic waste program shall make the instructions required pursuant to subsection (C)(2) available on its website within thirty days of the effective date of the act or no later than July 1, 2022, and the program shall provide a hyperlink to the website to the department for posting on the department's website.

(E) Nothing in this chapter prevents a manufacturer from accepting, through its recovery program, covered television devices and covered computer monitor devices collected through a curbside or drop-off collection program that is operated pursuant to a residential collection agreement between a third party and a unit of local government located within a county or solid waste authority serving one or more counties that has elected to participate in a manufacturer electronic waste program.

(F) Manufacturers of covered television devices and covered computer monitor devices are not financially responsible for transporting and consolidating covered devices collected from a collection program's drop-off location. Any drop-off location operating in program year 2023 or in subsequent years must be identified by the county or solid waste authority serving one or more counties in the annual written notice of election to participate in a manufacturer electronic waste program in accordance with Section 48-60-57 to be eligible for the subsequent program year.

(G) As part of their annual registration, a television or computer monitor manufacturer shall provide to the department the total weight of the manufacturer's covered television devices or covered computer monitor devices sold at retail in the United States and the total weight of covered devices collected and recycled in the State during the previous program year. A manufacturer's weight sold data is proprietary information of the manufacturer and may be shared with a manufacture clearinghouse.

**THURSDAY, MAY 12, 2022**

Section 48-60-55. (A) On January 1, 2015, and annually thereafter, a television manufacturer or computer monitor manufacturer shall either:

(1) join a representative organization created by manufacturers of covered electronic devices to establish fair and reasonable policies to be applied in the State and to provide a plan to the department in accordance with this section; or

(2) notify the department of its intent to fulfill its obligations under this chapter by implementing a program under subsection (K).

(B) A representative organization shall submit a plan for the operation of a statewide consumer electronic device stewardship program described in this section to the department for approval annually. The initial plan must be submitted to the department by September 3, 2014, and annually ninety days before the beginning of the program year in subsequent years. The plan must include details on how one or more eligible companies or covered electronic device stewardship programs operating within the plan will:

(1) provide for the recycling of all used covered television devices and used covered computer monitor devices collected by participating local governments specified in the plan based on the proportionate membership of the representative organization;

(2) work with a representative organization, the department, and local government recycling representatives to provide recycling services of covered television devices and covered computer monitor devices and to provide consumers with information and educational materials regarding the program to promote the recycling and reuse of used covered television devices and used covered computer monitor devices;

(3) achieve environmentally sound management for covered television devices and covered computer monitor devices that are collected for reuse and recycling; and

(4) incorporate economic arrangements that minimize costs to participating manufacturers, consistent with Section 48-60-170.

(C) The representative organization plan must:

(1) document how the collection component of the plan was developed with input from local government recycling representatives and other stakeholders interested in electronics recycling, especially recycling of used covered television devices and used covered computer monitor devices;

(2) identify each manufacturer and local government participating in the consumer electronic device stewardship programs



**THURSDAY, MAY 12, 2022**

included in the representative organization plan and the brands of consumer electronic devices sold in the State that are covered by the programs;

(3) provide a mechanism for making the most current list of participating manufacturers available to the department;

(4) include incentives to ensure convenient mechanisms to collect used consumer electronic devices throughout the State; and

(5) explain why a disruption of commercial activity that may arise from implementation of the plan is consistent with fulfilling the intent of this chapter and provide sufficient information to allow the department to confirm the consistency of the plan with this chapter by review of the plan's financial and operational elements.

(D) Representative organization's annual plans must include, but not be limited to, the following:

(1) a list of collection programs and locations available to consumers in the State;

(2) a description of the methods used to collect, transport, and process used consumer electronic devices in the State;

(3) the results of a survey of county and municipal recycling representatives concerning the availability of opportunities for consumers to recycle covered electronic devices;

(4) samples of information awareness and educational materials provided to consumers of consumer electronic devices to promote reuse and recycling and collection opportunities for used devices that are available in the State;

(5) a list of participating companies for the most recent program year and the upcoming year;

(6) a list of contacts from all participating local governments who may be contacted by the department to confirm that their recycling needs are being met by manufacturers participating in the representative organization;

(7) a report of the organization's prior year's activities, including the amount of electronics collected for recycling in the State and the number and location of collection locations used during the prior year;

(8) a description of services provided to each of the local government participants including, but not limited to, collection event services and logistical support for electronics pick-up; and

(9) a list of manufacturers, as determined by the representative organization, failing to meet their individual recycling obligation as assigned by the representative organization and any shortfall penalties,

**THURSDAY, MAY 12, 2022**

pursuant to Section 48-60-160(E)(3). A manufacturer so reported to the department may elect to account for the shortfall in the next program year but only may elect this option once every three years. This does not preclude a representative organization from developing and implementing participation requirements that may otherwise exclude manufacturers from participating in the representative organization for failing to meet those participation requirements.

(E)(1) Not later than thirty calendar days after submission of the plan pursuant to subsection (B), the department shall determine whether or not to approve the plan. The department shall approve the plan for the establishment of a consumer electronic device stewardship program by the submitting representative organization if it meets the requirements of subsections (B) and (C). If the department finds activities included in the plan that do not fulfill those requirements, it shall specify in writing what the department believes to be the plan's deficiencies, promptly meet with the representative organization to discuss the department's concerns, and allow the representative organization at least thirty calendar days after the denial notice to submit a revised plan. If a revised plan is submitted, the department shall review and approve or disapprove the plan within thirty calendar days of submission.

(2) If the department disapproves a plan submitted pursuant to item (1), and the representative organization chooses not to submit a revised plan or the department disapproves the revised plan, the representative organization shall have the right to appeal pursuant to Section 44-1-60.

(3) If the plan is disapproved on appeal, the representative organization may resubmit a plan pursuant to item (1) which conforms with the guidance of the appellate opinion or member companies may comply with subsection (K).

(F) After the representative organization's plan is approved, the representative organization is responsible for maintaining continuous service to local governments specified in the plan provided by the participating consumer electronic device stewardship programs. The representative organization shall establish fair and reasonable policies for administration and operation.

(G) Manufacturers of covered television devices or covered computer monitor devices that are participating in a plan submitted pursuant to this section and subject to a recycling assessment may choose to fulfill their recycling assessment using a consumer electronic device stewardship program that meets the elements set forth in the approved representative organization plan.

**THURSDAY, MAY 12, 2022**

(H) The department shall maintain a list of the names of manufacturers and eligible programs complying with the requirement of this chapter and the brands of consumer electronic devices that are covered by the consumer electronic device stewardship program and post this list on its website.

(I) A representative organization and the department shall confer with stakeholders at least quarterly to address compliance, efficiency, and best practices of the stewardship programs that implement the representative organization's plan.

(J)(1) Local governments that receive recycling services from stewardship programs participating in the representative organization's plan to recycle covered television devices and covered computer monitor devices must not charge the manufacturer or the representative operating the stewardship program for collection costs and shall offer the manufacturer or its representative other covered devices collected by a participating local government at no cost. Provided, this item does not obligate a local government to offer other covered devices collected by a participating local government at no cost once the representative organization's obligation within its plan to recycle covered television devices and covered computer monitor devices has been met during a program year.

(2) A representative organization shall provide the department and each local government recycling representative a point of contact for the organization, including email and phone number, to ensure communication and coordination among local governments, participating manufacturers, consumer electronic device stewardship programs and the representative organization.

(K)(1) If a television manufacturer or computer monitor manufacturer does not participate in a representative organization, the manufacturer annually shall recycle or arrange for the recycling of covered television devices and covered computer monitor devices in the amount of eighty percent of the weight of the covered television devices and covered computer monitor devices sold by the manufacturer in the State during the previous program year.

(2) The department shall notify each television manufacturer or computer monitor manufacturer of its recycling obligation by March fifteenth of each program year. A television manufacturer or computer monitor manufacturer shall provide the department information noted in item (3) to be used by the department to calculate each television and computer monitor manufacturer's recycling obligation under this subsection.

THURSDAY, MAY 12, 2022

(3) A television or computer monitor manufacturer shall report to the department the total weight of the manufacturer's covered television devices or covered computer monitor devices sold at retail in the United States or in this State, if the information is available, and the total weight of covered devices collected and recycled in the State during the previous program year. A manufacturer's weight sold data is proprietary information of the manufacturer.

(L) A manufacturer may fulfill the requirements of this section either individually, in participation with other manufacturers, or through a representative organization. A recovery program may use existing collection and consolidation infrastructure for collecting covered devices, including local governments, retailers, recyclers, and reuse organizations.

(M) A manufacturer shall provide the department with contact information for the manufacturer's designated agent or employee whom the department may contact concerning the manufacturer's compliance with the requirements of this section.

(N) Manufacturers not identified as participating in a representative organization plan pursuant to subsection (B) of this section shall comply with the requirements of subsection (K).

(O) As used in this section, 'representative organization' means an organization created to develop and oversee implementation of a statewide plan consisting of one or more consumer electronic device stewardship programs, both in the State and in other jurisdictions that authorize such a representative organization.

Section 48-60-56. (A) Beginning in program year 2023, each manufacturer electronic waste program must offer collection sites in accordance with the following convenience standards for each county or solid waste authority serving one or more counties that elects to participate in the manufacturer electronic waste program during a given program year:

(1) one collection site in each county that has a population of less than one hundred thousand inhabitants;

(2) two collection sites in each county that has a population of at least one hundred thousand inhabitants and less than two hundred thousand inhabitants;

(3) three collection sites in each county that has a population of at least two hundred thousand inhabitants.

(B) For purposes of this section, county population must be determined using the most recent federal decennial census.

THURSDAY, MAY 12, 2022

(C) a designated representative of a county or a solid waste authority serving one or more counties pursuant to the provisions of Section 48-60-57, that elects to participate in a manufacturer electronic waste program may enter into a written agreement with the operator of a manufacturer electronic waste program in order to:

(1) reduce or increase the number of collection sites in the county for the program year; provided, however, the agreement must be included in the manufacturer electronic waste program as required pursuant to Section 48-60-57(A);

(2) substitute a collection site in the county for four one-day collection events or a different number of such events as provided for in the written agreement; provided, however, the agreement must be included in the manufacturer electronic waste program as required pursuant to Section 48-60-57(A);

(3) substitute the location of a collection site in the county for the manufacturer electronic waste program with another location;

(4) substitute the location of a one-day collection event in the county with another location; or

(5) with the agreement of the applicable retailer, use a retail collection site as a program collection site.

(D) Retail collection sites are not considered a collection site for the purposes of the convenience standards established pursuant to this section unless otherwise agreed to in writing by the retailer, operators of the manufacturer electronic waste program, and the applicable county or solid waste authority serving one or more counties. If retailers agree to participate in a program collection site, then the retailer collection site does not have to collect all covered devices or register as a collector.

(E) Nothing in this chapter prohibits a retailer from collecting a fee for each covered device collected.

(F) Manufacturers may use retail collection sites for satisfying some or all of their obligations pursuant to Sections 48-60-51, 48-60-56, and 48-60-57.

Section 48-60-57. (A) Beginning in program year 2023, the designee of a county, including but not limited to a representative of a solid waste authority serving one of more counties, may elect to participate in a manufacturer electronic waste program by filing a written notice of election to participate in the program with the manufacturer electronic waste program and the department, by August 1, 2022, and by May first each year thereafter for the upcoming program year.

(B) A municipality with a population of over 17,000, as determined using the most recent federal decennial census, located

THURSDAY, MAY 12, 2022

within a county or solid waste authority serving one or more counties that elects not to participate in a manufacturer electronic waste program may coordinate with any participating county or solid waste authority serving one or more counties for inclusion in the participating county or solid waste authority's written notice of election to participate in a manufacturer electronic waste program and must utilize collection sites located in the participating county or solid waste authority.

(C) Any municipality included in a participating county or solid waste authority's written notice of election must utilize the proposed collections sites enumerated in the plan and those sites must be located within in the participating county or solid waste authority.

(D) The written notice must include a list of proposed collection locations to support the program and may include locations already providing similar collection services. The written notice also may include a list of registered recoverers that the county would prefer using for its collection sites or one-day events.

Section 48-60-58. (A) By November 1, 2022, for program year 2023, and by September first each year thereafter, each computer monitor and television manufacturer shall, individually or through a manufacturer clearinghouse, submit to the department a manufacturer electronic waste plan, which includes at a minimum, the following:

(1) contact information for the individual who will serve as the point of contact for the manufacturer electronic waste program;

(2) a list of each county that has elected to participate in the manufacturer electronic waste program during the program year;

(3) for each county, the location of each program collection site and one-day collection event included in the manufacturer electronic waste program for the program year;

(4) the recoverers that the program plans to use to transport and subsequently recycle covered television devices and covered computer monitor devices, with the updated list of recoverers to be provided to the department no later than December first preceding each program year;

(5) an explanation of any deviation from the applicable convenience standard as described in Section 48-60-56 for the program year, along with copies of all written agreements or confirmed electronic correspondence made pursuant to Section 48-60-56(C)(1) or (2); and

(6) if two or more manufacturers are participating in a manufacturer clearinghouse, certification that the methodology used for allocating responsibility for the transportation and recycling of covered television devices and covered computer monitor devices by manufacturers participating in the manufacturer clearinghouse for the

THURSDAY, MAY 12, 2022

program year will be in compliance with the allocation methodology established pursuant to Section 48-60-61.

(B)(1) Within sixty days of receiving a manufacturer electronic waste program plan, the department shall review and approve or disapprove the plan.

(2) If the department approves the plan, the manufacturer or manufacturer clearinghouse shall provide written notice of approval to the designated contact person for the program, and the program must be published on the department's website.

(3) If the department disapproves the plan, the manufacturer or manufacturer clearinghouse shall provide written notice to the designated contact person for the program listing the reasons for the disapproval. Within thirty days after the date of disapproval, the manufacturer or manufacturer clearinghouse shall submit a revised recovery plan to address the insufficiencies in the department's disapproval.

(C) Every manufacturer shall assume financial responsibility for carrying out its recovery program plan including, but not limited to, financial responsibility for providing the packaging materials necessary to prepare shipments of collected covered television devices and covered computer monitor devices in compliance with federal, state, and local requirements, as well as financial responsibility for bulk transportation and recycling of collected covered television devices and covered computer monitor devices.

(D) A county or solid waste authority serving one or more counties, that receives recycling services from a manufacturer electronic waste plan to recycle covered television devices and covered computer monitor devices must not charge the manufacturer, the clearinghouse, or the representative operating the program for collection costs and shall offer the manufacturer, the clearinghouse, or its representative other covered devices collected by a participating local government at no cost.

Section 48-60-59. (A) A manufacturer electronic waste program plan submitted by a manufacturer clearinghouse may take into account and incorporate individual plans or operations of one or more manufacturers that are participating in the manufacturer clearinghouse.

(B) If a manufacturer clearinghouse allocates responsibility to manufacturers for manufacturers' transportation and recycling of covered television devices and covered computer monitor devices during a program year as part of a manufacturer electronic waste program plan, the manufacturer clearinghouse shall identify the allocation methodology in the manufacturer recovery plan submitted to the

department pursuant to Section 48-60-58. Any allocation of responsibility among manufacturers for the collection of covered devices must be in accordance with the allocation methodology established pursuant to Section 48-60-61.

(C) A manufacturer clearinghouse has no authority to enforce manufacturer compliance with the requirements of this chapter, including compliance with the allocation methodology set forth in a manufacturer electronic waste plan, but, upon prior notice to the manufacturer, shall refer any potential noncompliance to the department. A manufacturer clearinghouse may develop and implement policies and procedures that exclude from participation in the manufacturer clearinghouse any manufacturers found by the department or a court of competent jurisdiction to have failed to comply with this chapter.

(D) A manufacturer may request the department review a manufacturer electronic waste program plan proposed by the clearinghouse. The department shall consider all factors submitted in the request for review in making its determination in accordance with Section 48-60-58(B).

Section 48-60-60. A computer, computer monitor, or television manufacturer is not liable for damages arising from information stored on a covered device collected from a consumer under the manufacturer's ~~recovery programs of this chapter~~ electronic waste program.

Section 48-60-61. (A) As used in this section:

(1) 'Adjusted total proportional responsibility' means the percentage calculated for each participating manufacturer for a program year pursuant to subsection (F).

(2) 'Market share' means the percentage that results from dividing:

(a) the product of the total weight reported for a covered television device or covered computer monitor device by a manufacturer, for the calendar year two years before the applicable program year, pursuant to Section 48-60-51(G); by

(b) the product of the total weight reported for that covered television device or covered computer monitor device category by all manufacturers, for the calendar year 2 years before the applicable program year, pursuant to Section 48-60-51(G).

(3) 'Participating manufacturer' means a manufacturer that a manufacturer clearinghouse has listed, pursuant to subsection (C), as a participant in the manufacturer clearinghouse for a program year.

(4) 'Return share' means the percentage, by weight, of each covered television device or computer monitor device category that is



THURSDAY, MAY 12, 2022

returned to the program collection sites and one-day collection events operated by or on behalf of either a manufacturer clearinghouse or one or more of its participating manufacturers during the calendar year two years before the applicable program year, as reported to the department pursuant to Section 48-60-51; except that, for program years 2023 and 2024, 'return share' means the percentage, by weight, of each covered television device or computer monitor device category that is estimated by the manufacturer clearinghouse to be returned to those sites and events during the applicable program year, as reported to the department pursuant to subsection (B).

(5) 'Unadjusted total proportional responsibility' means the percentage calculated for each participating manufacturer pursuant to subsection.

(B) A manufacturer clearinghouse shall provide the department with a statement of the return share for each plan pursuant to Section 48-60-58.

(C) If a manufacturer clearinghouse submits to the department a manufacturer electronic waste program plan pursuant to Section 48-60-58, the manufacturer clearinghouse shall include in the plan a list of manufacturers that have agreed to participate in the manufacturer clearinghouse for the upcoming program year.

(D) For each program year, the department in collaboration with the manufacturer clearinghouse shall calculate the unadjusted total proportional responsibility of each participating manufacturer as follows:

(1) Multiplying the participating manufacturer's market share for the covered television device or covered computer monitor device category by the return share for the covered television device or covered computer monitor device category, to arrive at the category-specific proportional responsibility of the participating manufacturer for the covered television device or covered computer monitor device category.

(2) Then, for each participating manufacturer, add the category-specific proportional responsibilities of the participating manufacturer calculated pursuant to item (1), to arrive at the participating manufacturer's unadjusted total proportional responsibility.

(E) If the sum of all unadjusted total proportional responsibilities of a manufacturer clearinghouse's participating manufacturers for a program year accounts for less than one hundred percent of the return share for that year, the department shall divide the unallocated return share among participating manufacturers in proportion to their

THURSDAY, MAY 12, 2022

unadjusted total proportional responsibilities, to arrive at the adjusted total proportional responsibility for each participating manufacturer.

(F) A manufacturer may use retail collection sites to satisfy some or all of the manufacturer's responsibilities including, but not limited to, the manufacturer's transportation and recycling of collected covered television devices and covered computer monitor devices pursuant to any allocation methodology established by this chapter. Nothing in this chapter prevents a manufacturer from using retail collection sites to satisfy any percentage of the manufacturer's total responsibilities including, but not limited to, the manufacturer's transportation and recycling of collected covered television devices and covered computer monitor devices pursuant to any allocation methodology established by this chapter or by administrative regulation.

Section 48-60-62. Counties, solid waste authorities serving one or more counties, and municipalities that fully comply with the storage and packaging requirements of this chapter shall be exempt from liability upon the proper removal of covered devices from the solid waste facilities.

Section 48-60-70. (A) A retailer only may sell or offer to sell a covered device that:

(1) bears a manufacturer label as provided in Section 48-60-30; and

(2) is manufactured by a manufacturer that offers ~~a recovery~~ an electronic waste program as provided in Sections 48-60-40, ~~48-60-50,~~ ~~and 48-60-55,~~ and 48-60-51.

(B) The requirements of this section do not apply to a television sold by a retailer for less than one hundred dollars.

Section 48-60-80. A retailer may not be liable for damages arising from information stored on any covered device collected from a consumer under the manufacturer's ~~recovery~~ electronic waste program.

Section 48-60-90. (A) After July 1, 2011, a consumer must not knowingly place or discard a covered device or subassemblies of a covered device in a waste stream that is to be disposed of in a solid waste landfill.

(B) An owner or operator of a solid waste landfill must not, at the gate, knowingly accept, for disposal, loads containing more than an incidental amount of covered devices.

(C) The owner or operator of a solid waste landfill must post, in a conspicuous location at the landfill, a sign stating that covered devices or any components of covered devices are not accepted for disposal at the landfill.

THURSDAY, MAY 12, 2022

(D) The owner or operator of a solid waste landfill must notify, in writing, all haulers delivering solid waste to the landfill that covered devices or any components of covered devices are not accepted for disposal at the landfill.

Section 48-60-100. The department shall provide information to the public on its Internet website regarding the provisions of the chapter and the prohibition on disposing of covered devices in a solid waste landfill. The department also shall provide information about ~~recovery~~ electronic waste programs available in the State on the department's Internet website. The website must include information about collection options available, the definition of covered devices, the proper methods for disposal of covered devices, the proper methods for disposal of noncovered devices, and links to relevant portions of computer or television manufacturer's Internet websites.

Section 48-60-110. The department may conduct audits and inspection of a computer or television manufacturer, retailer, or recoverer to determine compliance with this chapter's provisions, and may establish by regulation administrative fines for violations of this chapter.

Section 48-60-120. Financial and proprietary information submitted to the department pursuant to this ~~act~~ chapter is exempt from public disclosure.

Section 48-60-130. The department shall include in its annual solid waste report information provided by manufacturers on recovery programs offered pursuant to this chapter.

Section 48-60-140. (A) Covered devices must be recovered in a manner that complies with all applicable federal, state, and local requirements. Collection and storage of covered devices must be performed in accordance with best management practices.

(B) All recycling or reuse facilities used by recoverers of covered electronic devices must, at a minimum, achieve and maintain third-party accredited certification. Acceptable certification programs include the Responsible Recycling (R)(2) Practices and e-Stewards. Other certification programs recognized by the department or the United States Environmental Protection Agency also are acceptable. Manufacturers of covered electronic devices shall ensure that recycling or reuse facilities used as part of their recovery programs meet this requirement. Local governments and other consolidators of covered electronic devices shall ensure that the material they collect is transferred to a recycling or reuse facility that meets this requirement.

THURSDAY, MAY 12, 2022

Section 48-60-141. (A) By November 1, 2022, and by November 1 of each year thereafter for that program year, a person acting as a collector under a manufacturer electronic waste program shall register with the department by completing and submitting to the department the registration form prescribed by the department. The registration form prescribed by the department must include, without limitation, the address of each location at which the collector accepts covered devices.

(B) The department may deny a registration under this section if the collector or any employee or officer of the collector has a history of:

(1) repeated violations of federal, state, or local laws, regulations, standards, or ordinances related to the collection, recovering, or other management of covered devices;

(2) conviction in this State or another state of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this State or another state or federal court of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) gross carelessness or incompetence in handling, storing, processing, transporting, disposing, or otherwise managing covered devices.

(C) The department shall post on the department's website a list of all registered collectors.

(D) Manufacturers and recoverers acting as collectors shall so indicate on their registration under Section 48-60-51 or Section 48-60-142 of this chapter.

(E) Each collector that operates a program collection site or one-day event shall ensure that the collected covered devices are sorted and loaded in compliance with local, State, and federal law. In addition, at a minimum, the collector shall also comply with the following requirements:

(1) Covered television devices and covered computer monitor devices must be accepted at program collection sites or one-day collection events unless otherwise provided in this chapter;

(2) Covered television devices and covered computer monitor devices must be kept separate from other material and must:

(a) be packaged in a manner to prevent breakage;

(b) be loaded onto pallets and secured with plastic wrap or in pallet-sized bulk containers prior to shipping; and

(c) weigh on average per collection site eighteen thousand pounds per shipment, and if not then the recoverer may charge the

THURSDAY, MAY 12, 2022

collector a prorated charge on the shortfall in weight, not to exceed six hundred dollars.

(3) Covered devices must be sorted into at least the following categories:

(a) covered computer monitor devices;

(b) covered television devices;

(c) all other covered devices that are part of the manufacturer program;

(d) any other covered device that is not part of the manufacturer program that the collector has arranged to have picked up with covered devices and for which a financial arrangement has been made to cover the recycling costs outside of the manufacturer program; and

(e) any other covered device that is not part of the manufacturer program that the collector has arranged to have picked up with covered devices and for which a financial arrangement has been made to cover the recycling costs outside of the manufacturer program.

(4) Containers holding the covered devices must be structurally sound for transportation.

(5) Each shipment of covered devices from a program collection site or one-day collection event must include a collector-prepared bill of lading or similar manifest, which describes the origin of the shipment and the number of pallets or bulk containers of covered devices in the shipment.

(F) Except as provided in subsection (G) of this Section, each collector that operates a program collection site or one-day collection event during a program year shall accept all covered television devices and computer monitor devices that are delivered to the program collection site or one-day collection event during the program year.

(G) No collector that operates a program collection site or one-day collection event shall:

(1) accept, at the program collection site or one-day collection event, more than seven covered devices from an individual at any one time;

(2) scrap, salvage, dismantle, or otherwise disassemble any covered devices collected at a program collection site or one-day collection event;

(3) deliver to a manufacturer electronic waste program, through its recoverer, any covered devices other than covered television devices and covered computer monitor devices, unless otherwise provided for in

THURSDAY, MAY 12, 2022

this chapter, collected at a program collection site or one-day collection event; or

(4) deliver to a person other than the manufacturer electronic waste program or its recoverer, covered television devices and covered computer monitor devices, unless otherwise provided for in this chapter, collected at a program collection site or one-day collection event.

(H) Beginning in program year 2023, registered collectors participating in a county or solid waste authority supervised collection programs may collect a fee for each desktop computer monitor or television accepted for recovering to cover costs for collection and preparation for bulk shipment or to cover costs associated with the requirements of subsection (E) of this section.

(I) Nothing in this chapter shall prevent a person from acting as a collector independently of a manufacturer electronic waste program.

(J) Any collector or recoverer operating a one-day collection event shall not deliver any collected devices to any county or solid waste authority operating in one or more counties without prior coordination and agreement.

Section 48-60-142. (A) All recoverers that store, consolidate, or process covered devices in the State must register with the department the locations of all storage and processing activities by submitting a \$3,000 registration fee and completing and submitting a form as prescribed by the department by November 1, 2022, and by November first of each year thereafter for that program year.

(B) The department may deny a registration under this section if the recoverer or any employee or officer of the recoverer has a history of:

(1) repeated violations of federal, State, or local laws, regulations, standards, or ordinances related to the collection, recycling, or other management of covered devices;

(2) conviction in this State or another state of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this State or another state or federal court of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) gross carelessness or incompetence in handling, storing, processing, transporting, disposing, or otherwise managing covered devices.

(C) The department shall post on the department's website a list of all registered recoverers.

THURSDAY, MAY 12, 2022

(D) Beginning in program year 2023, no person may act as a recoverer of consumer covered devices for a manufacturer's electronic waste program unless the recoverer is registered with the department as required under this Section.

(E) Beginning in program year 2023, recoverers must, as a part of their annual registration, certify compliance with all of the following requirements:

(1) Recoverers must comply with federal, State, and local laws and regulations, including federal and State minimum wage laws, specifically relevant to the handling, processing, and recycling of consumer covered devices and must have proper authorization by all appropriate governing authorities to perform the handling, processing, and recycling.

(2) Recoverers must implement the appropriate measures to safeguard occupational and environmental health and safety, through the following:

(a) environmental health and safety training of personnel, including training with regard to material and equipment handling, worker exposure, controlling releases, and safety and emergency procedures;

(b) an up-to-date, written plan for the identification and management of hazardous materials; and

(c) an up-to-date, written plan for reporting and responding to exceptional pollutant releases, including emergencies such as accidents, spills, fires, and explosions.

(3) Recoverers must maintain:

(a) commercial general liability insurance or the equivalent corporate guarantee for accidents and other emergencies with limits of not less than \$1,000,000 per occurrence and \$1,000,000 aggregate, and

(b) pollution legal liability insurance with limits not less than \$1,000,000 per occurrence for companies engaged solely in the dismantling activities and \$5,000,000 per occurrence for companies engaged in recycling.

(4) Recoverers must maintain on file documentation that demonstrates the completion of an environmental health and safety audit completed and certified by a competent internal and external auditor annually. A competent auditor is an individual who, through professional training or work experience, is appropriately qualified to evaluate the environmental health and safety conditions, practices, and procedures of the facility. Documentation of auditors' qualifications

THURSDAY, MAY 12, 2022

must be available for inspection by department officials and third-party auditors.

(5) Recoverers must maintain on file proof of workers' compensation and employers' liability insurance.

(6) Recoverers must provide adequate assurance, such as bonds or corporate guarantees, to cover environmental and other costs of the closure of the recoverer's facility, including cleanup of stockpiled equipment and materials. A recoverer must provide, for each storage, consolidation, or processing location, adequate financial assurance to cover third party removal of all covered devices or waste material from the facility. The financial assurance must be issued in favor of the department and an approved financial assurance mechanism must be submitted prior to beginning storage or processing operations. The registrant must provide continuous coverage for closure until released from financial assurance requirements by the department.

(7) Recoverers must apply due diligence principles to the selection of facilities to which components and materials, such as plastics, metals, and circuit boards, from consumer covered devices are sent for reuse and recycling.

(8) Recoverers must establish a documented environmental management system that is appropriate in level of detail and documentation to the scale and function of the facility, including documented regular self-audits or inspections of the recoverer's environmental compliance at the facility.

(9) Recoverers must use the appropriate equipment for the proper processing of incoming materials as well as controlling environmental releases to the environment. The dismantling operations and storage of consumer covered devices components that contain hazardous substances must be conducted indoors and over impervious floors. Storage areas must be adequate to hold all processed and unprocessed inventory. When heat is used to soften solder and when covered devices components are shredded, operations must be designed to control indoor and outdoor hazardous air emissions.

(10) Recoverers must establish a system for identifying and properly managing components, such as circuit boards, batteries, cathode-ray tubes, and mercury phosphor lamps, that are removed from consumer covered devices during disassembly. Recoverers must properly manage all hazardous and other components requiring special handling from consumer covered devices consistent with federal, State, and local laws and regulations. Recoverers must provide visible tracking, such as hazardous waste manifests or bills of lading, of hazardous



THURSDAY, MAY 12, 2022

components and materials from the facility to the destination facilities and documentation, such as contracts, stating how the destination facility processes the materials received. No recoverer may send, either directly or through intermediaries, hazardous wastes to solid non-hazardous waste landfills or to non-hazardous waste incinerators for disposal or energy recovery. For the purpose of these guidelines, smelting of hazardous wastes to recover metals for reuse in conformance with all applicable laws and regulations is not considered disposal or energy recovery.

(11) Recoverers must use a regularly implemented and documented monitoring and record-keeping program that tracks total inbound covered devices material weights and total subsequent outbound weights to each destination, injury and illness rates, and compliance with applicable permit parameters including monitoring of effluents and emissions. Recoverers must maintain contracts or other documents, such as sales receipts, suitable to demonstrate: (i) the reasonable expectation that there is a downstream market or uses for designated electronics, which may include recycling or reclamation processes such as smelting to recover metals for reuse; and (ii) that any residuals from recycling or reclamation processes, or both, are properly handled and managed to maximize reuse and recycling of materials to the extent practical.

(12) Recoverers must employ industry-accepted procedures for the destruction or sanitization of data on hard drives and other data storage devices. Acceptable guidelines for the destruction or sanitization of data are contained in the National Institute of Standards and Technology's Guidelines for Media Sanitation or those guidelines certified by the National Association for Information Destruction.

(F) Each recoverer shall, during each calendar year, transport from each site that the recoverer uses to manage consumer covered devices not less than 75% of the total weight of consumer covered devices present at the site during the preceding calendar year. Each recoverer shall maintain on-site records that demonstrate compliance with this requirement and shall make those records available to the department for inspection and copying.

(G) Nothing in this chapter shall prevent a person from acting as a recoverer independently of a manufacturer electronic waste program.

(H) Whenever the department determines that a person is in violation of a regulation promulgated pursuant to this section, the department may:

THURSDAY, MAY 12, 2022

(1) issue an order requiring the person to comply with the regulation;

(2) bring a civil action for injunctive relief in the appropriate court; or

(3) request the Attorney General bring civil or criminal enforcement action pursuant to this section.

The department also may impose reasonable civil penalties not to exceed ten thousand dollars, for each day of violation. After exhaustion of administrative remedies, a person against whom a civil penalty is invoked by the department may appeal the decision of the department or board to the court of common pleas, pursuant to the Administrative Procedures Act.

(I) A person who wilfully violates a regulation promulgated pursuant to this section is guilty of a misdemeanor and, upon conviction, must be fined not more than ten thousand dollars for each day of violation or imprisoned for not more than one year, or both. If the conviction is for a second or subsequent offense, the punishment must be a fine not to exceed twenty-five thousand dollars for each day of violation or imprisonment not to exceed two years, or both. The provisions of the subsection do not apply to officials and employees of a local government owning or operating, or both, a municipal solid waste management facility or to officials and employees of a region, comprised of local governments, owning or operating, or both, a regional municipal solid waste management facility.

(J) Each day of noncompliance with an order issued pursuant to this section or noncompliance with a permit, regulation, standard, order, or requirement established pursuant to this section constitutes a separate offense.

~~Section 48-60-150. The department shall promulgate regulations needed to implement this chapter's provisions, which must be submitted to the General Assembly pursuant to the Administrative Procedures Act.~~

(A) To carry out the purposes and provisions of this chapter, the department is authorized to:

(1) promulgate such regulations, procedures, or standards as are necessary to protect human health and safety or the environment from the adverse effects of improper, inadequate, or unsound management of covered devices;

(2) issue, deny, revoke, or modify permits, registrations, or orders under such conditions as the department may prescribe, pursuant to procedures consistent with the South Carolina Administrative

THURSDAY, MAY 12, 2022

Procedures Act, for the operation of facilities that recover covered devices;

(3) conduct inspections, conduct investigations, obtain samples, and conduct research regarding the operation and maintenance of any facility that recovers covered devices;

(4) enter into agreements, contracts, or cooperative arrangements, under such terms and conditions as the department determines appropriate, with other state, federal, or interstate agencies, counties, municipalities, educational institutions, other local governments, and local health departments, consistent with the purposes and provisions of this chapter; and

(5) cooperate with private organizations and with business and industry in carrying out the provisions of this chapter.

(B) Regulations promulgated to carry out the purposes and provisions of this chapter must be submitted to the General Assembly pursuant to the Administrative Procedures Act.

(C) The requirements of this chapter supersede all regulations, rules, standards, orders, or other actions of the department that are not consistent with this chapter.

Section 48-60-160. (A) A manufacturer subject to the requirements of this chapter shall pay the department an annual registration fee in the amount of three thousand five hundred dollars.

~~(B) A representative organization shall pay the department an annual registration fee in the amount of twenty thousand dollars for the department to pay the full costs of administering and enforcing the provisions of this chapter relating to representative organizations.~~

~~(C) Manufacturers participating in a representative organization are exempt from paying an annual registration fee.~~

~~(D)~~(B) A manufacturer that produces computer monitors, computers, or televisions is only required to pay one annual registration fee, if a fee is required.

~~(E)~~(1)(C) A manufacturer of a covered device that fails to comply with a requirement of this chapter, ~~excluding recycling obligation shortfalls as provided for in this section,~~ is subject to a fine not to exceed ~~one~~ seven thousand dollars per violation.

~~(2) A manufacturer of a covered television device or covered computer monitor device participating in a plan pursuant to Section 48-60-50 or Section 48-60-55(K) that fails to meet its individual recycling obligation for the previous program year as outlined in this chapter may elect to:~~

~~(a) pay a shortfall fee as determined by the department; or~~

THURSDAY, MAY 12, 2022

~~(b) account for the amount of the shortfall in the following year. A manufacturer electing to account for the amount of a shortfall in the following year only may elect this option once every three years.~~

~~(3) The shortfall fee provided for in this section must be calculated as follows:~~

~~(a) If the manufacturer of a covered television or computer monitor device recycles at least ninety percent, but less than one hundred percent of its individual recycling obligation, the shortfall fee is thirty cents multiplied by the number of additional pounds that should have been recycled in order for the manufacturer to have met its individual recycling obligation.~~

~~(b) If the manufacturer of a covered television or computer monitor device recycles at least fifty percent, but less than ninety percent of its individual recycling obligation, the shortfall fee is forty cents multiplied by the number of additional pounds that should have been recycled in order for the manufacturer to have met its individual recycling obligation.~~

~~(c) If the manufacturer of a covered television or computer monitor device recycles less than fifty percent of its individual recycling obligation, the shortfall fee is fifty cents multiplied by the number of additional pounds that should have been recycled in order for the manufacturer to have met its individual recycling obligation.~~

~~(F)(D) A manufacturer of a covered device that sells five one hundred or fewer such devices in the State per year is exempt from registration, or penalty, or shortfall fees proposed in this chapter.~~

~~(G) A television manufacturer participating in a representative organization with an approved consumer electronic device stewardship program that falls below seventy five percent of its allocation, as determined by a representative organization at the end of the program year, is ineligible to participate in the consumer electronic device stewardship program the following year and must participate in the plan enumerated in Section 48-60-55(K).~~

~~(H)(E) All fees and penalties collected by the department to administer and enforce this chapter must be deposited in a dedicated account and may be expended by the department to cover the department's costs to implement this chapter. Shortfall fees must be used to assist local governments in recycling covered devices as required by this chapter.~~

Section 48-60-170. (A) The intent of this chapter is to implement programs and services that ensure the availability of adequate end-of-life electronic product handling for the benefit of citizens of the State, which

THURSDAY, MAY 12, 2022

fairly, effectively, and efficiently share the burdens of doing so among television manufacturers, computer manufacturers, and computer monitor manufacturers, regardless of the effect on competition of doing so, and which require the State to direct and supervise implementation of a statewide plan of one or more consumer electronic device stewardship programs. ~~Representative organizations~~ Manufacturer clearinghouses and persons participating in ~~representative organizations~~ manufacturer clearinghouses may not be held liable or prosecuted under federal or state antitrust law, unfair trade, and competition laws and regulations.

(B) A manufacturer or manufacturer clearinghouse acting ~~in accordance with~~ pursuant to the provisions of this chapter may negotiate, enter into, or conduct business with ~~a representative organization, and the each other~~ and with any other entity developing, implementing, operating, participating in, or performing any other activities directly related to a manufacturer electronic waste program. No manufacturer, ~~representative organization~~ manufacturer clearinghouse, and eligible program ~~are not~~ shall be subject to damages, liability, enforcement actions, or scrutiny under federal or state antitrust law, unfair trade, and competition laws and regulations, regardless of the effects of their actions on competition. It further is the intent and belief of the State that the supervisory activities described in this chapter are sufficient to confirm that activities of the manufacturer clearinghouse, manufacturers, eligible programs, and ~~recyclers~~ recoverers developing or participating in a plan that is approved pursuant to Section ~~48-60-55~~ 48-60-51 or 48-60-56 are authorized and actively supervised by the State.

Section 48-60-180. The department shall initiate a stakeholder group on June 1, 2026, and provide a report on its findings to the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee and the Chairman of the Senate Agriculture and Natural Resources Committee by January 15, 2027. The stakeholder process shall explore opportunities to advance market-based solutions for the recycling of electronics, operational and financial impacts on local governments and manufacturers, alternatives to Section 48-60-90, and other concerns or recommendations identified by stakeholders and the department.”

B. Section 14 of Act 129 of 2014, as amended by Act 82 of 2021, is repealed. Section 48-60-55 of the 1976 Code is repealed December 31, 2022. The remaining provisions of this chapter, except Section 48-60-90, are repealed December 31, 2029.

THURSDAY, MAY 12, 2022

SECTION \_\_\_\_ . Section 44-56-200 of the 1976 Code is amended to read:

“Section 44-56-200. (A) For the purposes of this section:

(1) ‘Medium’ or ‘media’ includes the following portions of the environment:

(a) soil;

(b) surface water;

(c) sediments;

(d) ambient, noncontainerized air; and

(e) the saturated zone beneath surface soils commonly referred to as ‘groundwater’.

(2) ‘Owner’ does not include:

(a) a unit of state or local government that acquired ownership or control involuntarily through bankruptcy, tax delinquency, abandonment, or other circumstances in which the government involuntarily acquired a title by virtue of its function as sovereign, including acquisitions made by a forfeited land commission pursuant to Chapter 59, Title 12. The exclusion provided pursuant to this item does not apply to any state or local government that voluntarily acquires a facility or has caused or contributed to the release or threatened release of a hazardous substance from the facility, and such a state or local government is subject to the provisions of this chapter in the same manner and to the same extent, both procedurally and substantively, as any nongovernmental entity; or

(b) a person otherwise liable who can establish by a preponderance of the evidence that the release or threat of release of a hazardous substance and the damages resulting therefrom were caused solely by:

(i) an act of God;

(ii) an act of war; or

(iii) an act or omission by a third party, if the person establishes by a preponderance of the evidence that he exercised due care with respect to the hazardous substance concerned, taking into consideration the characteristics of the hazardous substance, in light of all relevant facts and circumstances and that he further took precautions against foreseeable acts or omissions of any such third party and the consequences that could foreseeably result from such acts or omissions.

Third party does not include:

(A) an employee or agent of the person; or

(B) one whose act or omission occurs in connection with a contractual relationship, existing directly or indirectly, with the person,

THURSDAY, MAY 12, 2022

except where the sole contractual arrangement arose from a published tariff and acceptance for carriage by a common carrier by rail.

(3) 'Remediation' has the same meaning provided by Public Law 96-510, 42 U.S.C. 9601, and may include a human health risk assessment process to estimate the nature and probability of adverse health effects in humans who may be exposed to chemicals in contaminated media.

(B) The Department of Health and Environmental Control is empowered to implement and enforce the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Public Law 96-510), and subsequent amendments to Public Law 96-510 as of the effective date of the amendments.

~~(B)(C)~~(1) Subject to the provisions of Section 107 of Public Law 96-510 and its subsequent amendments which pursuant to this section are incorporated and adopted as the law of this State, the department is empowered to recover on behalf of the State all response costs expended from the Hazardous Waste Contingency Fund or from other sources, including specifically punitive damages in an amount at least equal to and not more than three times the amount of costs incurred by the State whether before or after the enactment of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, and its subsequent amendments.

(2) ~~For purposes of this section, 'owner' does not include:~~

~~(a) a unit of state or local government which acquired ownership or control involuntarily through bankruptcy, tax delinquency, abandonment, or other circumstances in which the government involuntarily acquires title by virtue of its function as sovereign, including acquisitions made by a forfeited land commission pursuant to Chapter 59, Title 12. The exclusion provided under this paragraph shall not apply to any state or local government which voluntarily acquires a facility or has caused or contributed to the release or threatened release of a hazardous substance from the facility, and such a state or local government shall be subject to the provisions of this chapter in the same manner and to the same extent, both procedurally and substantively, as any nongovernmental entity.~~

~~(b) a person otherwise liable who can establish by a preponderance of the evidence that the release or threat of release of a hazardous substance and the damages resulting therefrom were caused solely by:~~

- ~~(i) an act of God;~~
- ~~(ii) an act of war;~~

[HJ]

THURSDAY, MAY 12, 2022

~~(iii) an act or omission of a third party other than an employee or agent of the defendant, or than one whose act or omission occurs in connection with a contractual relationship, existing directly or indirectly, with the defendant (except where the sole contractual arrangement arises from a published tariff and acceptance for carriage by a common carrier by rail), if the defendant establishes by a preponderance of the evidence that (A) he exercised due care with respect to the hazardous substance concerned, taking into consideration the characteristics of such hazardous substance, in light of all relevant facts and circumstances, and (B) he took precautions against foreseeable acts or omissions of any such third party and the consequences that could foreseeably result from such acts or omissions.~~

~~(3) For purposes of this chapter, the provisions of the Superfund Recycling Equity Act, 42 U.S.C. Section 9627, shall apply.~~

(D) When conducting cleanup, removal, remediation, or any other response pursuant to this section, the Pollution Control Act, or regulations thereof, a person who proposes or is required to respond to the release of a pollutant, contaminant, or hazardous substance at a contaminated facility site must comply with one of the following standards:

(1) the unrestricted use standards applicable to each affected medium;

(2) the background standard, if the background standard exceeds the unrestricted use standards;

(3) a site-specific remediation standard for any or all of the affected media that undergo review and approval by the department pursuant to subsection (E); or

(4) any combination of remediation standards for affected media described in this subsection.

(E) Site-specific remediation standards developed for each medium and authorized by this section shall include an evaluation of remediation standards based upon the present or currently planned future use of a site. Site-specific remediation standards shall be developed in accordance with the following:

(1) for surface water, the site-specific remediation standard shall be, or shall demonstrate compliance with, water quality standards adopted by the department;

(2) for a saturated zone or groundwater, the current and probable future use of the saturated zone or groundwater must first be identified, then site-specific sources of contaminants and potential receptors must be identified. Potential receptors must be protected.



THURSDAY, MAY 12, 2022

controlled, or eliminated, whether the receptors are located on or off the site where the source of the contamination is located;

(3) natural environmental conditions affecting the fate and transport of contaminants, such as natural attenuation, shall be determined by the appropriate scientific methods and shall be considered a site-specific remediation standard;

(4) permits for facilities located at sites covered by any of the programs or requirements established pursuant to regulation shall contain conditions to avoid exceedances of the applicable groundwater standards adopted by the department due to the continued operation of any onsite facility;

(5) for soil, the soil shall be remediated to levels that are no longer a continuing source of groundwater contamination in excess of the site-specific standards. Soil shall be remediated to unrestricted use standards on residential property with the following exceptions:

(a) for mixed-use developments where ground level uses are nonresidential and all potential exposure to contaminated soil has been eliminated, the department may allow soil to remain on site in excess of unrestricted use standards; and

(b) if soil remediation is impractical because of preexisting structures or removal is impractical, then all areas of the real property where a person may come into contact with soil must be remediated to unrestricted use standards. All other areas of the real property engineering and institutional controls that are sufficient to protect public health, safety, and welfare and the environment must be implemented;

(6) if applicable, the potential for the human inhalation of contaminants from outdoor air and other site-specific indoor air exposure pathways shall be considered. Site-specific remediation standards also must protect against human exposure to contamination through the consumption of contaminated fish or wildlife and through the ingestion of contaminants in surface water or groundwater supplies;

(7) for known or suspected carcinogens, site-specific remediation standards shall be established at exposures that represent an excess lifetime cancer risk of one in one million. The site-specific remediation standard may depart from the one-in-one million risk level based on the criteria set out in 40 C.F.R. Section 300.430(e)(9). The cumulative excess lifetime cancer risk to an exposed individual shall not be greater than one in ten thousand based on the sum of carcinogenic risk posed by each contaminant present;

(8) for systemic toxicants, site-specific remediation standards shall represent levels to which the human population, including sensitive

THURSDAY, MAY 12, 2022

subgroups, may be exposed without any adverse health effects during a lifetime or part of a lifetime. Site-specific remediation standards for systemic toxicants shall incorporate an adequate margin of safety and shall take into account cases in which two or more systemic toxicants affect the same organ or organ system; and

(9) the site-specific remediation standards for each medium shall be adequate to avoid foreseeable adverse effects to other media or the environment that are inconsistent with the risk-based approach under this section.”

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

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 102; 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	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gilliam	Haddon	Hayes

[HJ]

**THURSDAY, MAY 12, 2022**

Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCrary	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
G. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

**Total--102**

Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

Rep. HIOTT proposed the following Amendment No. 2 to H. 3055 (COUNCIL\DG\3055C003.NBD.DG22), which was adopted:

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

/ SECTION \_\_\_\_. A. Section 48-4-10(A) of the 1976 Code is amended to read:

“(A) The South Carolina Department of Natural Resources is created to administer and enforce the laws of this State relating to wildlife, marine resources, and natural resources and other laws specifically assigned to it. The department must be comprised of a ~~Natural Resources~~ Law Enforcement Division, a Wildlife and

THURSDAY, MAY 12, 2022

Freshwater Fisheries Division, a Marine Resources Division, a ~~Water Resources Division, and a Land Resources and Conservation Districts Division~~ and a Land, Water, and Conservation Division. Each division of the department must have the functions and powers provided by law.”

B. Section 48-4-30 of the 1976 Code is amended to read:

“Section 48-4-30. (A) The department must be governed by a board consisting of nonsalaried board members to be appointed and constituted in a manner provided by law. The Governor shall appoint one member to serve as chairman, upon the advice and consent of the Senate. The appointment to chairman is subject to the advice and consent of the Senate, even if the person appointed to serve as chairman is already a current member of the board.

(B) All board members must be appointed by the Governor with the advice and consent of the Senate. One member must be appointed from each congressional district of the State.

~~(C) Notwithstanding subsection (B), membership on the board also shall include the at large board member serving on the board on March 1, 2012. The at large board member may continue to serve on the board until that board member’s term expires, he is removed from the board as provided by law, or he resigns from the board. At the expiration of the at large board member’s term, or upon his removal from or resignation from the board, the provisions of this subsection no longer apply to the composition of the membership of the board.~~

~~(D)~~ In making appointments, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed. Board members must possess sound moral character, superior knowledge in the fields of wildlife, marine, and natural resource management, and proven administrative ability.

~~(E)~~(D) The Governor may remove any board member pursuant to the provisions of Section 1-3-240.

~~(F)~~(E) Terms of the members must be for four years and until their successors are appointed and qualify. If a vacancy occurs when the General Assembly is not in session, it must be filled by the Governor’s appointment for the unexpired term, subject to confirmation by the Senate at the next session of the General Assembly.

THURSDAY, MAY 12, 2022

~~(G)~~(F) Each board member, within thirty days after notice of appointment and before taking office, shall take and file with the Secretary of State the oath of office prescribed by the State Constitution.

~~(H)~~(G) Notwithstanding subsection ~~(E)~~ (D), the terms of members representing ~~congressional districts serving on the board on March 1, 2012, shall terminate on the dates provided in this subsection. The terms of the members representing~~ the Fourth and the Sixth Congressional Districts shall expire July 1, 2012. The terms of the members representing the First, Second, Third, and Fifth Congressional Districts shall expire on July 1, 2014.

~~(I)~~(H) Notwithstanding subsection ~~(E)~~ (D), the initial term of the member representing the Seventh Congressional District shall expire July 1, 2016.”

C. Section 48-4-70 of the 1976 Code is amended to read:

“Section 48-4-70. The board shall:

(1) hold meetings, as considered necessary by the chairman, with a majority of the board members constituting a quorum. The board may hold meetings, transact business, or conduct investigations at any place necessary; however, its primary office is in Columbia;

(2) formulate and recommend legislation to enhance uniformity, enforcement, and administration of the wildlife, marine, and natural resource laws;

(3) make an annual report to the General Assembly on all matters relating to its action;

~~(4) require those of its officers, agents, and employees it designates to give bond for the faithful performance of their duties in the sum and with the sureties it determines, and all premiums on the bonds must be paid by the board;~~

~~(5) pay travel expenses; and purchase or lease all necessary facilities, equipment, books, periodicals, and supplies for the performance of its duties; and~~

~~(6)~~(5) exercise and perform other powers and duties as granted to it or imposed upon it by law.”

D. Section 50-1-220 of the 1976 Code is amended to read:

“Section 50-1-220. The provisions of Sections 50-1-180 to ~~50-1-230~~ 50-1-220 shall also apply to (a) other properties of the United States Government, (b) any other properties acquired or to be acquired from the United States Government by the State, or (c) any other lands or waters purchased by the United States or the State. But hunting and fishing shall not be allowed on any lands under the control or ownership of the State Commission of Forestry except by written agreement with

THURSDAY, MAY 12, 2022

that Commission. Nothing contained in such sections shall interfere in any manner with the use and management of lands by a state agency in charge of such lands in the functions of such agency as authorized by law.”

E. Section 50-3-90 of the 1976 Code is amended to read:

“Section 50-3-90. The authorized agents of the department may conduct game and fish cultural operations and scientific investigations in such manner, places and at such times as are considered necessary and may use whatever methods are deemed advisable for sampling fish populations. ~~Such operations and investigations shall be conducted only at the request of and with the permission from the board, and~~ No such operations and investigations shall be made upon private lands and waters except at the request of the owner or owners of such lands and waters.”

F. Section 50-3-110 of the 1976 Code is amended to read:

“Section 50-3-110. The department shall have charge of the enforcement officers of the Natural Resources Law Enforcement Division of the department and exercise supervision over the enforcement of the laws of the State, regulatory, tax, license or otherwise, in reference to birds, nonmigratory fish, game fish, shellfish, shrimp, oysters, ~~oyster leases,~~ and fisheries.”

G. Section 50-3-130 of the 1976 Code is amended to read:

“Section 50-3-130. The ~~board~~ department shall prescribe a unique and distinctive official uniform, with appropriate insignia to be worn by all uniformed enforcement officers of the Natural Resources Law Enforcement Division of the department when on duty and at such other times as the board shall order, and a distinctive color or colors and appropriate emblems for all motor vehicles used by such officers. No other law enforcement agency, private security agency or any person shall wear a similar uniform and insignia which may be confused with the uniform and insignia of the enforcement officers nor shall any emblem be used on a motor vehicle nor shall it be painted in a color or in any manner which would cause the vehicle to be similar to an enforcement officer’s vehicle or readily confused therewith.”

H. Section 50-3-315 of the 1976 Code is amended to read:

“Section 50-3-315. (A) The director may appoint deputy enforcement officers who serve at the pleasure of the director without pay. The officers have statewide police power. However, the director may restrict their territorial jurisdiction. No person may be appointed as an officer who holds another public office. The Secretary of State shall transmit to the director the commissions of all officers.

THURSDAY, MAY 12, 2022

(B) Except for specially designated department employees, deputy enforcement officers are volunteers covered by Chapter 25 of Title 8 and not employees entitled to coverage or benefits in Title 42.

(C) Except for specially designated department employees, deputy enforcement officers shall furnish their own equipment but may not equip privately owned vehicles with blue lights, sirens, or police-type markings.

(D) Deputy enforcement officers must be of good character.

(E) The department shall administer the deputy enforcement officers through its Natural Resources Enforcement Division.

(F) The number of deputy enforcement officers appointed is in the discretion of the director.

(G) All deputy enforcement officers:

(1) must be certified by the South Carolina Criminal Justice Academy or successfully shall complete the 'Basic State Constables Course' at their own expense at one of the state technical schools;

(2) successfully shall complete required refresher training;

(3) promptly shall comply with all directives by the Deputy Director of the Natural Resources Enforcement Division and the supervisor of enforcement officers within whose area the officer is acting.

~~(H) The department by regulation shall establish a training program for deputy enforcement officers commissioned after July 1, 1980."~~

I. Section 50-3-320 of the 1976 Code is amended to read:

"Section 50-3-320. The Secretary of State shall transmit to the ~~board~~ department the commissions of all enforcement officers and the director shall deliver such commissions to the enforcement officers only after the enforcement officers have filed oaths ~~and bonds~~ as required by Section 50-3-330."

J. Section 50-3-350 of the 1976 Code is amended to read:

"Section 50-3-350. The enforcement officers, when acting in their official capacity, shall wear a metallic shield with the words ~~'Enforcement Officer of the Natural Resources Enforcement Division'~~ 'South Carolina Department of Natural Resources Law Enforcement Officer' inscribed thereon."

K. Section 50-3-395 of the 1976 Code is amended to read:

"Section 50-3-395. Enforcement officers may issue warning tickets to violators in cases of misdemeanor violations under this title. The department shall ~~by regulation~~ provide for the form, administration, and use of warning tickets authorized by this section."

THURSDAY, MAY 12, 2022

L. Section 50-11-980 of the 1976 Code is amended to read:

“Section 50-11-980. The lands and waters in Charleston Harbor and its adjacent estuarine system in Charleston County lying within the following boundaries are designated a wildlife sanctuary:

~~The area in Charleston County beginning at the foot of Station 22 1/2 Street on Sullivan’s Island, thence on a line north following Ben Sawyer Boulevard (Highway 703) into Mt. Pleasant to a point just south of Center Street where the marsh of the upper reaches of Jeanette Creek meets highland, thence turning 230 degrees southwest following a line to Pitt Street in Mt. Pleasant, thence turning northwest following Pitt Street to its intersection with Live Oak Avenue, thence northeast to Coleman Boulevard, thence following Coleman Boulevard across Shem Creek and continuing on a line 310 degrees northwest to the eastern range marker for the Drum Island Channel Range just south of Remley’s Point, thence continuing northwest on the Drum Island Reach for approximately six thousand eighty feet, thence due west on a line across the Charleston peninsula for approximately seven thousand nine hundred sixty six feet, thence turning 330 degrees northwest and continuing for approximately nine thousand six hundred forty three feet along the east side of the Ashley River, thence turning 330 degrees northwest and continuing on a line for approximately five thousand eight hundred seventy feet, thence turning 240 degrees and continuing for approximately four thousand one hundred ninety three feet, thence turning 134 degrees southeast and continuing approximately nine thousand six hundred forty three feet to a point on the west bank of the Ashley River just south of the WTMA radio tower, thence turning 200 degrees south and continuing for approximately three thousand three hundred fifty four feet along the west bank of the Ashley River, thence turning south 170 degrees for approximately three thousand seven hundred seventy three feet, thence turning northwest 310 degrees and continuing for approximately four thousand one hundred ninety three feet, thence turning south 190 degrees and continuing approximately five thousand thirty one feet, thence returning east 105 degrees and continuing for approximately three thousand seven hundred seventy three feet, thence turning south again 190 degrees and continuing for approximately two thousand five hundred sixteen feet to its intersection with Highway 61, thence turning southeast 120 degrees and continuing approximately nineteen thousand sixty two feet to the north bank of Wappoo Creek, thence turning south 200 degrees and continuing approximately two thousand nine hundred thirty five feet, thence turning southeast 144 degrees and continuing for approximately~~



THURSDAY, MAY 12, 2022

~~two thousand nine hundred thirty five feet to a point just south of Harborview Road, thence turning east-southeast 100 degrees and continuing for approximately one thousand two hundred fifty eight feet, thence turning southeast 130 degrees and continuing approximately one thousand six hundred seventy seven feet, thence turning east 100 degrees and continuing for approximately four thousand one hundred ninety three feet, thence turning northeast 30 degrees and continuing for approximately two thousand ninety six feet, thence turning east 80 degrees and continuing for approximately one thousand two hundred fifty eight feet, thence turning southeast 120 degrees and continuing for approximately one thousand two hundred fifty eight feet, thence turning south 200 degrees and continuing approximately one thousand six hundred seventy seven feet to the head of Kushiwah Creek, thence turning east-southeast 110 degrees and continuing approximately four thousand one hundred ninety three feet, thence turning northeast 30 degrees and continuing for approximately eight hundred thirty nine feet, thence turning northwest 320 degrees and continuing for approximately two thousand five hundred sixteen feet, thence turning north 20 degrees and continuing approximately six hundred twenty nine feet, thence turning east-southeast 110 degrees and continuing for approximately two thousand nine hundred thirty five feet, thence returning due north and continuing for approximately one thousand two hundred fifty eight feet, thence turning due east and continuing for approximately three thousand seven hundred seventy three feet along the southern edge of Charleston Harbor, thence turning northeast 60 degrees and continuing for approximately one thousand two hundred fifty eight feet to the point at Fort Johnson, thence turning due south and continuing approximately nine thousand two hundred twenty four feet to a point on the west bank of Schooper (Schooner) Creek, thence turning due east and continuing for approximately six thousand seven hundred eight feet across Morris Island along the dike on the north end of the spoil area, thence turning northeast 50 degrees and continuing approximately sixteen thousand three hundred fifty one feet across the mouth of Charleston Harbor to the point of beginning on Sullivan's Island.~~

The area in Charleston County beginning at the foot of Station 22 1/2 Street on Sullivan's Island; thence 332°47'51" following Ben Sawyer Boulevard (Highway 703) into Mt. Pleasant for approximately 10672.74' to a point just south of Center Street where the marsh of the upper reaches of Jeanette Creek meets highland; thence 226°30'39" and continuing for approximately 5711.45' to Pitt Street; thence 315°06'28" and continuing for approximately 5601.19'; thence 42°35'09" and

THURSDAY, MAY 12, 2022

continuing for approximately 96.36'; thence 315°40'50" and continuing for approximately 546.86'; thence 317°58'41" and continuing for approximately 675.02'; thence 46°54'12" and continuing for approximately 349.17' to the intersection of Coleman Boulevard; thence 316°01'24" following Coleman Boulevard across Shem Creek and continuing for approximately 1249.48'; thence 310°00'00" and continuing for approximately 11746.20' to the eastern range marker for the Drum Island Channel Range just south of Remley's Point;

thence 291°44'09" and continuing for approximately 6080.00' through the Drum Reach; thence due west and continuing for approximately 7960.00' across the Charleston peninsula; thence 330°00'00" and continuing for approximately 9643.00' along the east side of the Ashley River; thence 279°04'59" and continuing for approximately 7617.53'; thence 154°18'05" and continuing for approximately 10204.25' to a point on the west bank of the Ashley River just south of the WTMA radio tower; thence 200°00'00" and continuing for approximately 3354.00'; thence 170°00'00" and continuing for approximately 3773.00'; thence 310°00'00" and continuing for approximately 4193.00'; thence 190°00'00" and continuing for approximately 5031.00'; thence 105°00'00" and continuing for approximately 3773.00'; thence 189°36'09" and continuing for approximately 1785.89' to the intersection of Highway 61; thence 132°12'36" and continuing for approximately 9390.67' to the north bank of Wappoo Creek; thence 200°00'00" and continuing for approximately 4413.48'; thence 144°00'00" and continuing for approximately 2935.00' to a point just south of Harborview Road; thence 100°00'00" and continuing for approximately 1258.00'; thence 130°00'00" and continuing for approximately 1677.00'; thence 100°00'00" and continuing for approximately 4193.00'; thence 30°00'00" and continuing for approximately 2096.00'; thence 80°00'00" and continuing for approximately 1258.00'; thence 120°00'00" and continuing for approximately 1258.00'; thence 200°00'00" and continuing for approximately 2147.63' to the head of Kushiwah Creek; thence 110°00'00" and continuing for approximately 4065.35'; thence 30°00'00" and continuing for approximately 893.00'; thence 320°00'00" and continuing for approximately 2516.00'; thence 20°00'00" and continuing for approximately 629.00'; thence 110°00'00" and continuing for approximately 2935.00'; thence due north and continuing for approximately 1258.00'; thence due east and continuing for approximately 3773.00' along the southern edge of Charleston Harbor; thence 60°00'00" and continuing for approximately

THURSDAY, MAY 12, 2022

1258.00' to the point at Fort Johnson; thence 171°52'50" and continuing for approximately 9317.40' to a point on the west bank of Schooper (Schooner) Creek; thence due east and continuing for approximately 6491.17' along the dike on the north end of the spoil area; thence 43°27'46" and continuing for approximately 16506.59' across the mouth of Charleston Harbor to the point of beginning on Sullivan's Island.

It is unlawful for any person to hunt, trap, molest, or to attempt to take or molest in any manner, any wild bird, bird egg, or mammal within the sanctuary. The department, its duly authorized agents, or persons with written permits issued by the department may engage in predator control, bird banding, and other scientific activities including the collection of specimens for scientific purposes intended to enhance, maintain, or further our understanding of wildlife populations within the sanctuary.

The department shall post the general outline of the sanctuary and during the nesting season shall conspicuously post bird nesting areas. Posting of bird nesting areas constitutes public notice that the areas are closed to entry. The term 'molest' as used in this section includes, but is not limited to, walking upon posted lands or allowing pets to roam upon them. It is also unlawful for any person to remove or tamper with signs posted by the department pursuant to this section.

Nothing herein shall preclude the normal operations of the marine terminals and other facilities of the South Carolina State Ports Authority, or the dredging and disposal operations by the U.S. Army Corps of Engineers, South Carolina State Ports Authority, or their agents or contractors, or the normal shipping and maritime activities in the Port of Charleston.

Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than ninety days, or both."

M. Section 50-15-10(2)(e) of the 1976 Code, as last amended by Act 177 of 2020, is further amended to read:

"(e) any combination of the foregoing factors. The term shall also be deemed to include any species or subspecies of fish or wildlife appearing on the United States' List of Endangered Native Fish and Wildlife as it appears on July 2, 1974, (Part 17 of Title 50, Code of Federal Regulations, Appendix D, 50 C.F.R. Section 17.11) as well as any species or subspecies of fish and wildlife appearing on the United States' List of Endangered Foreign Fish and Wildlife (Part 17 of Title 50 of the Code of Federal Regulations, Appendix A, 50 C.F.R. Section 17.11), as such list may be modified hereafter."

THURSDAY, MAY 12, 2022

N. Section 50-15-30(B) and (C) of the 1976 Code is amended to read:

“(B) The ~~board~~ department shall conduct a review of the state list of endangered species within not more than two years from its effective date and every two years thereafter and may amend the list by such additions or deletions as are deemed appropriate. The ~~board~~ department shall submit to the Governor a summary report of the data used in support of all amendments to the state list during the preceding biennium.

(C) Except as otherwise provided in this article, it shall be unlawful for any person to take, possess, transport, export, process, sell or offer for sale, or ship, and for any common or contract carrier knowingly to transport or receive for shipment any species or subspecies of wildlife appearing on any of the following lists:

(1) the list of wildlife indigenous to the State determined to be endangered within the State pursuant to subsection (A);

(2) the United States’ List of Endangered Native Fish and Wildlife as it appears on July 2, 1974, (Part 17 of Title 50, Code of Federal Regulations, Appendix D, 50 C.F.R. Section 17.11); and

(3) the United States’ List of Endangered Foreign Fish and Wildlife (Part 17 of Title 50, Code of Federal Regulations, Appendix A, 50 C.F.R. Section 17.11), as such list may be modified hereafter; provided, that any species or subspecies of wildlife appearing on any of the foregoing lists which enters the State from another state or from a point outside the territorial limits of the United States and which is transported across the State destined for a point beyond the State may be so entered and transported without restriction in accordance with the terms of any federal permit or permit issued under the laws or regulations of another state.”/

Re-number sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

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
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley

[HJ]

**THURSDAY, MAY 12, 2022**

Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gilliam	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCrary	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
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrakis
Taylor	Tedder	Thayer
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Wooten

**Total--105**

Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

[HJ]

**THURSDAY, MAY 12, 2022**

Reps. HADDON and HIXON proposed the following Amendment No. 3 to H. 3055 (COUNCIL\CM3055C001.GT.CM22), which was ruled out of order:

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

/SECTION \_\_\_\_. (A) Whereas, the South Carolina General Assembly finds the South Carolina Department of Agriculture currently administers numerous programs related to food and nutrition, including the South Carolina Farm to School Program, the Emergency Food Assistance Program, the Commodity Supplemental Food Program, and various food and dairy safety programs; and

Whereas, the South Carolina General Assembly finds the South Carolina Department of Education administers certain other child-related national food and nutrition programs and initiatives of the United States Department of Agriculture, including the school lunch program, school breakfast program, afterschool snack program, special milk program, and summer food service programs; and

Whereas, the South Carolina General Assembly finds it worthwhile to consider whether administration of these child-related national food and nutrition programs by the Department of Agriculture rather than the Department of Education is a more logical and efficient approach, given the Department of Agriculture's relationship to matters concerning food and nutrition.

(B) There is created the "Child Food and Nutrition Services Study Committee" to examine the advisability of transferring the administration of certain food and nutrition programs and initiatives of the Food and Nutrition Service Child Nutrition Program of the United States Department of Agriculture currently administered by the State Department of Education to the State Department of Agriculture. These programs include, but are not limited to, the school lunch program, school breakfast program, afterschool snack program, special milk program, and summer food service programs.

(C) The study committee is composed of:

- (1) one member appointed by the Speaker of the House;
- (2) one member appointed by the Chairman of the House Education and Public Works Committee;
- (3) one member appointed by the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee;
- (4) one member appointed by the President of the Senate;
- (5) one member appointed by the Chairman of the Senate Education Committee;

**THURSDAY, MAY 12, 2022**

(6) one member appointed by the Chairman of the Senate Agriculture and Natural Resources Committee;

(7) one member appointed by the State Superintendent of Education;

(8) one member appointed by the State Commissioner of Agriculture; and

(9) one member appointed by the Governor.

(D) Members of the study committee shall serve without compensation, but are allowed the mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions, to be paid equally from approved accounts of the House of Representatives and the Senate.

(E) The study committee shall choose its officers and must be provided with clerical, administrative, and research services by the House of Representatives and the Senate.

(F) The study committee shall make a report of its findings and recommendations to the General Assembly by January 1, 2023, at which time the study committee terminates. /

Renumber sections to conform.

Amend title to conform.

Rep. HADDON explained the amendment.

**POINT OF ORDER**

Rep. MCDANIEL raised the Rule 9.3 Point of Order that Amendment No. 3 to H. 3055 was not germane.

The *SPEAKER PRO TEMPORE* sustained the Point of Order and ruled the amendment out of order.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 5182--NONCONCURRENCE IN SENATE AMENDMENTS**

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

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE

**THURSDAY, MAY 12, 2022**

FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

Rep. W. NEWTON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 100

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gilliam	Gilliard	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King

[HJ]



**THURSDAY, MAY 12, 2022**

Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	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	Sandifer	Simrill
Taylor	Thayer	West
Wetmore	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--100**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3166--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G. M. Smith: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO

**THURSDAY, MAY 12, 2022**

ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

Rep. BRAWLEY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

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

[HJ]

**THURSDAY, MAY 12, 2022**

Simrill	G. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Weeks	Wheeler	White
Whitmire	R. Williams	Willis
Yow		

**Total--97**

Those who voted in the negative are:

**Total--0**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 3166. If I had been present, I would have voted in to concur in the Senate Amendments.

Rep. Wendell G. Gilliard

**H. 4048--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 4048 -- Rep. G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY

**THURSDAY, MAY 12, 2022**

AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

Rep. COBB-HUNTER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Carter	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Dabney
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gilliam	Gilliard
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	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Parks
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith

[HJ]

**THURSDAY, MAY 12, 2022**

Stavrinakis	Taylor	Tedder
Thayer	Weeks	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Yow

**Total--102**

Those who voted in the negative are:

**Total--0**

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

**RECORD FOR VOTING**

Please have the record show that I would have voted to concur in the Senate Amendments on H. 4048. I had a question about “whistleblower protection” which delayed my vote. It is my understanding that the bill realigns a process.

Rep. Paula Calhoon

**H. 3775--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

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

Rep. BRAWLEY explained the Senate Amendments.

**THURSDAY, MAY 12, 2022**

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Crawford
Dabney	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	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
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	May	McCabe
McCrary	McDaniel	McGarry
McGinnis	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Yow

**Total--102**

**THURSDAY, MAY 12, 2022**

Those who voted in the negative are:

**Total--0**

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

**H. 3340--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

Rep. GAGNON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein

[HJ]

THURSDAY, MAY 12, 2022

Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
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	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	McCravy	McDaniel
McGarry	McGinnis	J. Moore
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
G. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Yow	

**Total--98**

Those who voted in the negative are:

Dabney	May	McCabe
--------	-----	--------

**Total--3**

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



THURSDAY, MAY 12, 2022

**H. 4889--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

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

Rep. THAYER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:  
Yeas 101; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jordan	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews

[HJ]

**THURSDAY, MAY 12, 2022**

May	McCabe	McCray
McDaniel	McGarry	McGinnis
McKnight	J. Moore	Morgan
D. C. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Yow	

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**H. 4220--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

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

Rep. HARDEE explained the Senate Amendments.

**THURSDAY, MAY 12, 2022**

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gilliam	Gilliard
Haddon	Hardee	Hayes
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	May	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
G. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Yow	

**Total--98**

THURSDAY, MAY 12, 2022

Those who voted in the negative are:

**Total--0**

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

**H. 3037--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J. L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

Rep. GARVIN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

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

[HJ]

**THURSDAY, MAY 12, 2022**

W. Cox	Crawford	Dabney
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gilliam	Gilliard
Haddon	Hardee	Hayes
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jordan	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	May
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
J. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pope
Rivers	Robinson	Rose
Rutherford	Sandifer	G. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis
Yow		

**Total--100**

Those who voted in the negative are:

**Total--0**

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

THURSDAY, MAY 12, 2022

**H. 3325--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 3325 -- Reps. King, Murray, Rivers, M. M. Smith and Parks: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

Rep. KING explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gilliam	Gilliard	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas

[HJ]

**THURSDAY, MAY 12, 2022**

Magnuson	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Yow	

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**S. 108--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

S. 108 -- Senators Campsen, Senn and Scott: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

Rep. W. NEWTON explained the Senate Amendments.

**THURSDAY, MAY 12, 2022**

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
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	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pope	Rivers
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Weeks	West	Wetmore
White	Whitmire	R. Williams
Willis	Yow	

**Total--104**

[HJ]



THURSDAY, MAY 12, 2022

Those who voted in the negative are:

**Total--0**

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

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on S. 108. If I had been present, I would have voted to concur in the Senate Amendments.

Rep. Travis Moore

**S. 233--NONCONCURRENCE IN SENATE AMENDMENTS**

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

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.

Rep. WEEKS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 1; Nays 100

Those who voted in the affirmative are:

Gilliam

**Total--1**

Those who voted in the negative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon

[HJ]

88

**THURSDAY, MAY 12, 2022**

Carter	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
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
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis
Yow		

**Total--100**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**S. 533--POINT OF ORDER, RULE 9.1 WAIVED PURSUANT TO RULE 5.15, SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

[HJ]

**THURSDAY, MAY 12, 2022**

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.

**POINT OF ORDER**

Rep. HILL made the Point of Order that the Senate Amendments were 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 such reading.

The SPEAKER sustained the Point of Order.

**RULE 9.1 WAIVED PURSUANT TO RULE 5.15**

Rep. COGSWELL moved to waive Rule 9.1, pursuant to Rule 5.15.

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

Yeas 94; Nays 5

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Carter	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Garvin
Gilliam	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas

[HJ]

**THURSDAY, MAY 12, 2022**

McDaniel	McGarry	McGinnis
McKnight	J. Moore	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrinnakis
Taylor	Tedder	Thayer
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--94**

Those who voted in the negative are:

Dabney	Gagnon	Hill
May	McCabe	

**Total--5**

So, Rule 9.1 was waived, pursuant to Rule 5.15.

Rep. COGSWELL explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 2

Those who voted in the affirmative are:

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

[HJ]

**THURSDAY, MAY 12, 2022**

Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
G. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Yow	

**Total--101**

Those who voted in the negative are:

Hill                      McCabe

**Total--2**

The Senate Amendments were agreed to, and the Joint Resolution 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. 158--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

[HJ]

THURSDAY, MAY 12, 2022

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.

Rep. ANDERSON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gilliam	Gilliard	Hardee
Hayes	Henegan	Herbkersman
Hill	Hiott	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

[HJ]

**THURSDAY, MAY 12, 2022**

Oremus	Ott	Parks
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis
Wooten	Yow	

**Total--104**

Those who voted in the negative are:

**Total--0**

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

**H. 4776--NONCONCURRENCE IN SENATE AMENDMENTS**

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

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

THURSDAY, MAY 12, 2022

OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Reps. MORGAN and MAGNUSON proposed the following Amendment No. 1A to H. 4776 (COUNCIL\VR\4776C003.CC.VR22), which was tabled:

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

/ SECTION \_\_. A. Article 3, Chapter 7, Title 44 of the 1976 Code is renamed the "State Health Facility Licensure Act".

B. Section 44-7-110 of the 1976 Code is amended to read:

"Section 44-7-110. This article may be cited as the 'State ~~Certification of Need and~~ Health Facility Licensure Act'."

SECTION \_\_. Section 44-7-120 of the 1976 Code is amended to read:

"Section 44-7-120. The purpose of this article is to ~~promote cost containment, prevent unnecessary duplication of health care facilities and services, guide the establishment of health facilities and services which will best serve public needs, and~~ ensure that high quality services are provided in health facilities in this State. To achieve these purposes, this article requires:

- (1) ~~the issuance of a Certificate of Need before undertaking a project prescribed by this article;~~
- (2) ~~adoption of procedures and criteria for submittal of an application and appropriate review before issuance of a Certificate of Need;~~
- (3) ~~preparation and publication of a State Health Plan;~~
- (4) the licensure of facilities rendering medical, nursing, and other health care."

SECTION \_\_. Section 44-7-130 of the 1976 Code is amended to read:

"Section 44-7-130. As used in this article:

- (1) ~~'Affected person' means the applicant, a person residing within the geographic area served or to be served by the applicant, persons located in the health service area in which the project is to be located and who provide similar services to the proposed project, persons who before receipt by the department of the proposal being reviewed have formally indicated an intention to provide similar services in the future, persons who pay for health services in the health service area in~~



THURSDAY, MAY 12, 2022

~~which the project is to be located and who have notified the department of their interest in Certificate of Need applications, the State Consumer Advocate, and the State Ombudsman. Persons from another state who would otherwise be considered 'affected persons' are not included unless that state provides for similar involvement of persons from South Carolina in its certificate of need process.~~

(2) 'Ambulatory surgical facility' means a facility organized and administered for the purpose of performing surgical procedures for which patients are scheduled to arrive, receive surgery, and be discharged on the same day. The owner or operator makes the facility available to other providers who comprise an organized professional staff.

(2) 'Birthing center' means a facility or other place where human births are planned to occur. This does not include the usual residence of a mother, any facility that is licensed as a hospital, or the private practice of a physician who attends a birth.

(3) 'Board' means the State Board of Health and Environmental Control.

(4) ~~Reserved.~~ 'Children, adolescents, or young adults in need of mental health treatment' in a residential treatment facility means a child, adolescent, or young adult under the age of twenty-one who manifests a substantial disorder of cognitive or emotional process that lessens or impairs to a marked degree that child's, adolescent's, or young adult's capacity either to develop or to exercise age-appropriate or age-adequate behavior, including, but not limited to, marked disorders of mood or thought processes; severe difficulties with self-control or judgment, including behavior dangerous to himself or others; and serious disturbances in a child's, adolescent's, or young adult's ability to care for or relate to others.

~~(5) 'Competing applicants' means two or more persons or health care facilities as defined in this article who apply for Certificates of Need to provide similar services or facilities in the same service area within a time frame as established by departmental regulations and whose applications, if approved, would exceed the need for services or facilities.~~

(6) 'Community residential care facility' means a facility which offers room and board and provides a degree of personal assistance for two or more persons eighteen years old or older.

~~(7)~~(6) 'Day care Daycare facility for adults' means a facility for adults eighteen years or older which that:

THURSDAY, MAY 12, 2022

(a) offers in a group setting a program of individual and group activities and therapies; ~~The program~~

(b) is directed toward providing community-based care for those in need of a supportive setting for less than twenty-four hours a day, ~~thereby preventing in order to prevent unnecessary institutionalization;~~ and

(c) ~~shall provide~~ provides a minimum of four and a maximum of fourteen hours of operation a day.

~~(8)~~(7) 'Department' means the Department of Health and Environmental Control.

~~(9)~~(8) 'The federal act' means Title VI of the United States Public Health Service Act (the Hill-Burton Construction Program); Title XVI of the United States Public Health Service Act (National Health Planning and Resources Development Act of 1974 Public Law 93-641); grants for all center and facility construction under Public Law 91-211 (community mental health centers' amendments to Title II, Public Law 88-164, Community Mental Health Centers Act); grants for all facility construction under Public Law 91-517 (developmental disabilities services and facilities construction amendments of 1970 to Part C, Title I, grants for construction of facilities for persons with intellectual disability Public Law 88-164); and other federal programs as may exist or be enacted which provide for the construction of hospitals or related health facilities. 'Facility for chemically dependent or addicted persons' means a facility organized to provide outpatient or residential services to chemically dependent or addicted persons and their families based on an individual treatment plan including diagnostic treatment, individual and group counseling, family therapy, vocational and educational development counseling, and referral services.

(9) 'Facility wherein abortions are performed' means a facility, other than a hospital, in which any second-trimester or any five or more first-trimester abortions are performed in a month.

(10) 'Freestanding emergency service' or 'off-campus emergency service' means an extension of an existing hospital emergency department that is intended to provide comprehensive emergency service but does not include a service that does not provide twenty-four hour, seven day per week operations or that is not capable of providing basic services as defined for hospital emergency departments. A service that does not qualify as a freestanding emergency service must not be classified as a freestanding emergency service and must not advertise, or display or exhibit any signs or symbols, that would identify the service as a freestanding emergency service.

THURSDAY, MAY 12, 2022

~~(10)~~(11) 'Health care facility' means, at a minimum, acute care hospitals, psychiatric hospitals, alcohol and substance abuse hospitals, nursing homes, ambulatory surgical facilities, hospice facilities, radiation therapy facilities, rehabilitation facilities, residential treatment facilities for children and adolescents, intermediate care facilities for persons with intellectual disability, or narcotic treatment programs, ~~and any other facility for which Certificate of Need review is required by federal law.~~

~~(11)~~(12) 'Health service' means clinically related, diagnostic, treatment, or rehabilitative services and includes alcohol, drug abuse, and mental health services ~~for which specific standards or criteria are prescribed in the State Health Plan.~~

~~(12)~~(13) 'Hospital' means a facility that is organized and administered to provide overnight medical or surgical care or nursing care of for an illness, injury, or infirmity and must provide on-campus emergency services; that and may provide obstetrical care; and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy. ~~Hospital~~ 'Hospital' may include a residential treatment facility for children, and adolescents, or young adults in need of mental health treatment which are that is physically a part of a licensed psychiatric hospital. This definition does not include facilities ~~which that~~ are licensed by the Department of Social Services. A residential treatment facility for children, adolescents, or young adults in need of mental health treatment that is physically a part of a licensed psychiatric hospital is not required to provide on-campus emergency services."

(14) 'Intermediate care facility for persons with an intellectual disability' means a facility that serves four or more persons with an intellectual disability or persons with related conditions and that provides health or rehabilitative services on a regular basis to individuals whose mental and physical conditions require services including room, board, and active treatment for their intellectual disability or related conditions.

~~(13)~~(15) 'Nursing home' means a facility with an organized nursing staff to maintain and operate organized facilities and services to accommodate two or more unrelated persons over a period exceeding twenty-four hours which is operated either in connection with a hospital or as a freestanding facility for the express or implied purpose of providing intermediate or skilled nursing care for persons who are not in need of hospital care.

THURSDAY, MAY 12, 2022

~~(14) 'Facility for chemically dependent or addicted persons' means a facility organized to provide outpatient or residential services to chemically dependent or addicted persons and their families based on an individual treatment plan including diagnostic treatment, individual and group counseling, family therapy, vocational and educational development counseling, and referral services.~~

~~(15)~~(16) 'Person' means an individual, a trust or estate, a partnership, a corporation including an association, joint stock company, insurance company, and a health maintenance organization, a health care facility, a state, a political subdivision, or an instrumentality including a municipal corporation of a state, or any legal entity recognized by the State.

(17) 'Radiation therapy facility' means a person or a health care facility that provides or seeks to provide mega-voltage therapeutic services to patients through the use of high energy radiation.

~~(16)~~(18) 'Residential treatment facility for children and adolescents' means a facility operated for the assessment, diagnosis, treatment, and care of two or more 'children and adolescents in need of mental health treatment' which provides:

(a) a special education program with a minimum program defined by the South Carolina Department of Education;

(b) recreational facilities with an organized youth development program; and

(c) residential treatment for a child or adolescent in need of mental health treatment.

~~(17) 'Solely for research' means a service, procedure, or equipment which has not been approved by the Food and Drug Administration (FDA) but which is currently undergoing review by the FDA as an investigational device. FDA research protocol and any applicable Investigational Device Exemption (IDE) policies and regulations must be followed by a facility proposing a project 'solely for research'.~~

~~(18) 'Children, adolescents, and young adults in need of mental health treatment' in a residential treatment facility means a child, adolescent, or young adult under age twenty one who manifests a substantial disorder of cognitive or emotional process, which lessens or impairs to a marked degree that child's, adolescent's, or young adult's capacity either to develop or to exercise age appropriate or age adequate behavior. The behavior includes, but is not limited to, marked disorders of mood or thought processes, severe difficulties with self control and~~

THURSDAY, MAY 12, 2022

judgment including behavior dangerous to self or others, and serious disturbances in the ability to care for and relate to others.

~~(19) 'Intermediate care facility for persons with intellectual disability' means a facility that serves four or more persons with intellectual disability or persons with related conditions and provides health or rehabilitative services on a regular basis to individuals whose mental and physical conditions require services including room, board, and active treatment for their intellectual disability or related conditions.~~

~~(20) 'Freestanding or mobile technology' means medical equipment owned or operated by a person other than a health care facility for which the total cost is in excess of that prescribed by regulation and for which specific standards or criteria are prescribed in the State Health Plan.~~

~~(21) 'Like equipment with similar capabilities' means medical equipment in which functional and technological capabilities are identical to the equipment to be replaced; and the replacement equipment is to be used for the same or similar diagnostic, therapeutic, or treatment purposes as currently in use; and does not constitute a material change in service or a new service.~~

~~(22) 'Facilities wherein abortions are performed' means a facility, other than a hospital, in which any second trimester or five or more first trimester abortions are performed in a month.~~

~~(23) 'Radiation therapy facility' means a person or a health care facility which provides or seeks to provide mega-voltage therapeutic services to patients through the use of high energy radiation.~~

~~(24) 'Birthing center' means a facility or other place where human births are planned to occur. This does not include the usual residence of the mother or any facility that is licensed as a hospital or the private practice of a physician who attends the birth.~~

~~(25) 'Freestanding emergency service' also referred to as an off-campus emergency service, means an extension of an existing hospital emergency department that is an off-campus emergency service and that is intended to provide comprehensive emergency service. The hospital shall have a valid license and be in operation to support the off-campus emergency service. A service that does not provide twenty-four hour, seven-day per week operation or that is not capable of providing basic services as defined for hospital emergency departments must not be classified as a freestanding emergency service and must not advertise or display or exhibit any signs or symbols that would identify the service as a freestanding emergency service.~~

THURSDAY, MAY 12, 2022

~~(26) ‘Crisis stabilization unit facility’ means a facility, other than a health care facility, operated by the Department of Mental Health or operated in partnership with the Department of Mental Health that provides a short term residential program, offering psychiatric stabilization services and brief, intensive crisis services to individuals eighteen and older, twenty four hours a day, seven days a week.’~~

SECTION \_\_. Section 44-7-140 of the 1976 Code is amended to read:

“Section 44-7-140. The department is designated the sole state agency for control and administration of the ~~granting of Certificates of Need and~~ licensure of health facilities and other activities necessary to be carried out under this article.”

SECTION \_\_. A. Section 44-7-150 of the 1976 Code is amended to read:

“Section 44-7-150. In carrying out the purposes of this article, the department shall:

(1) require reports and make inspections and investigations as considered necessary;

(2) to the extent that is necessary to effectuate the purposes of this article, enter into agreements with other departments, commissions, agencies, and institutions, public or private;

(3) adopt in accordance with Article I of the Administrative Procedures Act substantive and procedural regulations considered necessary by the department and approved by the board to carry out the department’s licensure ~~and Certificate of Need~~ duties under this article; ~~including regulations to deal with competing applications;~~

(4) accept on behalf of the State and deposit with the State Treasurer, any grant, gift, or contribution made to assist in meeting the cost of carrying out the purpose of this article and expend it for that purpose; and

~~(5) The department may charge and collect fees to cover the cost of operating the Certificate of Need program, including application fees, filing fees, issuance fees, and nonapplicability/exemption determination fees. The department shall develop regulations which set fees as authorized by this article. The level of these fees must be determined after careful consideration of the direct and indirect costs incurred by the department in performing its various functions and services in the Certificate of Need program. All fees and procedures for collecting fees must be adopted pursuant to procedures set forth in the Administrative Procedures Act. Any fee collected pursuant to this section in excess of seven hundred fifty thousand dollars must be~~

THURSDAY, MAY 12, 2022

~~retained by the department and designated for the administrative costs of the Certificate of Need program. The first seven hundred fifty thousand dollars collected pursuant to this section must be deposited into the general fund of the State. Until fees are promulgated through regulation, all fees established as of January 1, 2009, remain in effect promulgate regulations, in accordance with the Administrative Procedures Act, that establish fees as authorized by this article.”~~

B. Fees authorized by Article 3, Chapter 7, Title 44 that are promulgated as of January 1, 2009, shall remain in effect until further regulations are promulgated pursuant to Section 44-7-150(5), as amended by this act.

SECTION \_\_. Section 44-7-320 of the 1976 Code is amended to read:

“Section 44-7-320. (A)(1) The department may deny, suspend, or revoke licenses or assess a monetary penalty, or both, against a person or facility for:

(a) violating a provision of this article or departmental regulations;

~~(b) permitting, aiding, or abetting the commission of an unlawful act relating to the securing of a Certificate of Need or the establishment, maintenance, or operation of a facility requiring certification of need or licensure under this article;~~

~~(e)~~ engaging in conduct or practices detrimental to the health or safety of patients, residents, clients, or employees of a facility or service. This provision does not refer to health practices authorized by law;

~~(d)~~~~(c)~~ refusing to admit and treat alcoholic and substance abusers, the mentally ill, or persons with intellectual disability, whose admission or treatment has been prescribed by a physician who is a member of the facility’s medical staff; or discriminating against alcoholics, the mentally ill, or persons with intellectual disability solely because of the alcoholism, mental illness, or intellectual disability; or

~~(e)~~~~(d)~~ failing to allow a team advocacy inspection of a community residential care facility by the South Carolina Protection and Advocacy System for the Handicapped, Inc., as allowed by law.

(2) Consideration to deny, suspend, or revoke licenses or assess monetary penalties, or both, is not limited to information relating to the current licensing period but includes consideration of all pertinent information regarding the facility and the applicant.

(3) If in the department’s judgment conditions or practices exist in a facility that pose an immediate threat to the health, safety, and

THURSDAY, MAY 12, 2022

welfare of the residents, the department immediately may suspend the facility's license and shall contact the appropriate agencies for placement of the residents. Within five calendar days of the suspension a preliminary hearing must be held to determine if the immediate threatening conditions or practices continue to exist. If they do not, the license must be immediately reinstated. Whether the license is reinstated or suspension remains due to the immediate threatening conditions or practices, the department may proceed with the process for permanent revocation pursuant to this section.

(B) Should the department determine to assess a penalty, deny, suspend, or revoke a license, it shall send to the appropriate person or facility, by certified mail, a notice setting forth the particular reasons for the determination. The determination becomes final thirty days after the mailing of the notice, unless the person or facility, within such thirty-day period, requests in writing a contested case hearing before the board, or its designee, pursuant to the Administrative Procedures Act. On the basis of the contested case hearing, the determination involved must be affirmed, modified, or set aside. Judicial review may be sought in accordance with the Administrative Procedures Act.

(C) The penalty imposed by the department for violation of this article or its regulations must be not less than one hundred nor more than five thousand dollars for each violation of any of the provisions of this article. Each day's violation is considered a subsequent offense.

(D) Failure to pay a penalty within thirty days is grounds for suspension, revocation, or denial of a renewal of a license. ~~No~~ A license ~~may~~ must not be issued, reissued, or renewed until all penalties finally assessed against a person or facility have been paid.

(E) ~~No Certificate of Need may be issued to any person or facility until a final penalty assessed against a person or a facility has been paid.~~

(F) All penalties collected pursuant to this article must be deposited in the state treasury and credited to the General Fund of the State."

SECTION \_\_. Section 44-7-160 of the 1976 Code is amended to read:

"Section 44-7-160. A ~~person or health care facility~~ nursing home as defined in this article is required to obtain a Certificate of Need from the department before undertaking any of the following:

(1) the construction or other establishment of a new ~~health care facility~~ nursing home;



THURSDAY, MAY 12, 2022

(2) a change in the existing bed complement of a ~~health-care facility~~ nursing home through the addition of one or more beds or change in the classification of licensure of one or more beds;

(3) an expenditure by or on behalf of a ~~health-care facility~~ nursing home in excess of an amount to be prescribed by regulation which, under generally acceptable accounting principles consistently applied, is considered a capital expenditure except those expenditures exempted in Section 44-7-170(B)(1). The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the development, acquisition, improvement, expansion, or replacement of any plant or equipment must be included in determining if the expenditure exceeds the prescribed amount;

(4) a capital expenditure by or on behalf of a ~~health-care facility~~ nursing home which is associated with the addition or substantial expansion of a health service for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(5) the offering of a health service by or on behalf of a ~~health-care facility~~ nursing home which has not been offered by the facility in the preceding twelve months and for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(6) the acquisition of medical equipment which is to be used for diagnosis or treatment if the total project cost is in excess of that prescribed by regulation.”

SECTION \_\_. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Section 44-7-161. (A) Notwithstanding any provision of law to the contrary and prior to obtaining a Certificate of Need or licensure pursuant to this article for acquiring a hospital facility, the Medical University of South Carolina shall:

(a) submit details of the proposed acquisition for review and comment of the Joint Bond Review Committee;

(b) receive approval of proposed acquisition by the Fiscal Accountability Authority; and

(c) apply for a Certificate of Need or licensure.

(B) For purposes of this section:

(1) ‘Medical University of South Carolina’ means the Medical University of South Carolina, the Medical University Hospital Authority, or any affiliate thereof.

(2) ‘Acquiring’ means purchasing, leasing, acceptance of a gift, or otherwise, whether by obtaining options for the acquisition of existing hospital facilities, by new construction, or by the acquisition of any

**THURSDAY, MAY 12, 2022**

property, real or personal, improved or unimproved, including interests in land in fee or less than fee for any hospital facility.”

SECTION \_\_. (A) There is created the Certificate of Need study committee to examine the effect of the repeal of the Certificate of Need program on the quality and quantity of access to healthcare in rural portions of South Carolina. For the purposes of the study committee, “rural” means those areas considered “rural” by the United States Census Bureau, using factors including, but not limited to, population and population density.

(B)(1) The study committee shall be composed of six members to include three members of the Senate, as appointed by the President of the Senate, and three members of the House of Representatives, as appointed by the Speaker of the House of Representatives.

(2) The study committee shall meet as soon as practicable to organize and elect a co-chairman from the Senate and the House of Representatives. The co-chairmen shall be elected by a majority vote of the study committee members.

(3) The study committee shall consult with a non-voting advisory board as needed. The non-voting advisory board shall include one representative from the South Carolina Hospital Association, the South Carolina Medical Association, the Department of Health and Environmental Control, and the Department of Health and Human Services.

(C)(1) The study committee shall:

(a) examine the effect that the repeal of the Certificate of Need program has on the quality and quantity of access to healthcare in rural portions of the state;

(b) prepare a report of its work and findings to the General Assembly that may include recommendations for action on any of the rural healthcare access measures studied. Recommendations may include legislative, regulatory, or policy changes to address any identified trends associated with the decrease in the quality and quantity of access to healthcare in the rural portions of the state. A recommendation for action shall be based upon a finding by a majority of the voting members that one or more measures would promote the quality and quantity of healthcare access to rural areas; and

(c) draft any recommended legislation.

(2) The study committee shall provide a report to the General Assembly of its findings and recommendations by January 1, 2024. The study committee shall dissolve upon providing its report to the General Assembly, or on January 1, 2024, whichever occurs first.

**THURSDAY, MAY 12, 2022**

(D) The study committee may obtain data or other information it deems necessary from state agencies that is relevant to the purposes of the study committee, including from the Department of Health and Environmental Control, the Department of Health and Human Services, and the Department of Employment and Workforce. Agencies are required to respond promptly and provide requested information.

(E) The Senate Medical Affairs Committee and the House Medical, Military, Public and Municipal Committee shall provide staff for the study committee. /

Renumber sections to conform.

Amend title to conform.

Rep. MORGAN explained the amendment.

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

Rep. MCCRAVY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 109

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hardee
Hart	Hayes	Henderson-Myers

[HJ]

**THURSDAY, MAY 12, 2022**

Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Matthews	May	McCabe
McCrary	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
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrinnakis
Taylor	Tedder	Thayer
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--109**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**S. 1136--RECOMMENDED**

The following Bill was taken up:

S. 1136 -- Senators Loftis, Talley, Turner and Climer: A BILL TO ENACT THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO AMEND CHAPTER 67, TITLE 40 OF THE 1976 CODE, RELATING TO SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, BY ADDING ARTICLE 5, TO OUTLINE STATE PARTICIPATION IN THE COMPACT, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE-DUTY

[HJ]

**THURSDAY, MAY 12, 2022**

MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION, TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE COMMISSION, RULES, WITHDRAWAL, AND AMENDMENTS, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND THE BINDING EFFECT OF THE COMPACT; TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.

Rep. PARKS moved to recommit the Bill to the Committee on Medical, Military, Public and Municipal Affairs, which was agreed to.

**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. 888 -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: A BILL TO AMEND CHAPTER 11, TITLE 40 OF THE 1976 CODE, RELATING TO CONTRACTORS, TO PROVIDE FOR A VOLUNTARY CONTRIBUTION TO BE MADE UPON APPLICATION FOR A CONTRACTOR'S LICENSE TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING COURSES IN BUILDING SCIENCE OR CIVIL ENGINEERING; TO PROVIDE FOR DISTRIBUTION; AND TO IMPOSE A REPORTING REQUIREMENT.

**RETURNED TO THE SENATE WITH AMENDMENTS**

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

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

**THURSDAY, MAY 12, 2022**

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.

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.

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.

**S. 945--RETURNED TO THE SENATE WITH  
AMENDMENTS**

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.

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

Yeas 70; Nays 37

**THURSDAY, MAY 12, 2022**

Those who voted in the affirmative are:

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

**Total--70**

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Bernstein	Brawley	Clyburn
Cobb-Hunter	Dillard	Garvin
Gilliard	Hart	Henderson-Myers
Henegan	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Kirby	Matthews
McDaniel	McKnight	J. Moore
Murray	Ott	Parks
Rivers	Robinson	Rose
Rutherford	Stavrinakis	Tedder

THURSDAY, MAY 12, 2022

Weeks  
R. Williams

Wetmore

Wheeler

**Total--37**

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

**S. 1038--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 1038 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CHALK STREET AND POULTRY LANE IN RICHLAND COUNTY "DEACON DAVID SHIVER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

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

**S. 1243--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 1243 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HAYNIE STREET IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 20 "REVEREND JESSE L. JACKSON, SR. STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THESE WORDS.

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



**THURSDAY, MAY 12, 2022**

**S. 1257--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 1257 -- Senator McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF GEORGE ROGERS BOULEVARD AND ANDREWS ROAD IN RICHLAND COUNTY "JOSEPH LEE JACKSON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

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

**H. 5308--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5308 -- Reps. Daning, M. M. Smith, Davis, J. Moore and Jefferson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SANGAREE PARKWAY IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17A/NORTH MAIN STREET TO ITS INTERSECTION WITH EASEMENT LANE "WADE ARNETTE HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5344--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5344 -- Rep. White: A CONCURRENT RESOLUTION TO REQUEST CLEMSON UNIVERSITY PRESIDENT DR. JAMES P. CLEMENTS AND THE MEMBERS OF THE CLEMSON UNIVERSITY BOARD OF TRUSTEES NAME THE CATTLE FACILITY LOCATED AT THE T. ED GARRISON ARENA "DR. POAG REID CATTLE FACILITY".

The Concurrent Resolution was adopted and sent to the Senate.

[HJ]

**THURSDAY, MAY 12, 2022**

**H. 5348--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5348 -- Reps. Govan, Tedder, Cobb-Hunter, Hosey and Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS IN ORANGEBURG COUNTY ALONG UNITED STATES HIGHWAY 301 AT ITS INTERSECTION WITH INTERSTATE HIGHWAY 26 AND ALONG UNITED STATES HIGHWAY 601 AT ITS INTERSECTION WITH INTERSTATE HIGHWAY 26 CONTAINING THE WORDS "SOUTH CAROLINA STATE UNIVERSITY BULLDOGS 2021 HISTORICALLY BLACK COLLEGES AND UNIVERSITIES NATIONAL FOOTBALL CHAMPIONS".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5332--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5332 -- Reps. Murray, McKnight and Anderson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME STEAMBOAT LANDING ROAD IN CHARLESTON COUNTY "JAMES LEE JAMERSON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5373--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5373 -- Rep. Dillard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 122 EDGEWORTH STREET IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT LIEUTENANT MICHAEL EDWARD THORNTON, UNITED STATES NAVY.

The Concurrent Resolution was adopted and sent to the Senate.

[HJ]

**THURSDAY, MAY 12, 2022**

**S. 918--ADOPTED AND RETURNED TO SENATE WITH  
CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 918 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams:  
A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 501 AND BROADWAY STREET IN HORRY COUNTY "PATROL OFFICER HENRY SCARBOROUGH INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

**S. 919--ADOPTED AND RETURNED TO SENATE WITH  
CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 919 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams:  
A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS OF HARRELSON BOULEVARD IN HORRY COUNTY "PATROLMAN JACOB HANCHER OVERPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

**MOTION PERIOD**

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

**STATEMENT BY REP. GAGNON**

REP. GAGNON made a statement relative to Rep. HILL'S service in the House.

**STATEMENT BY REP. HILL**

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

[HJ]

**THURSDAY, MAY 12, 2022**

**RECURRENCE TO THE MORNING HOUR**

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

**SPEAKER IN CHAIR**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 969:

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.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 1045:

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

[HJ]

**THURSDAY, MAY 12, 2022**

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 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

[HJ]

**THURSDAY, MAY 12, 2022**

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.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 1237:

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.

and has ordered the Bill enrolled for ratification.

[HJ]

**THURSDAY, MAY 12, 2022**

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4075:

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

and has ordered the Bill enrolled for ratification.

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 152:

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: A BILL TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING

[HJ]

**THURSDAY, MAY 12, 2022**

ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**S. 1077--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 1077:

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.

[HJ]



**THURSDAY, MAY 12, 2022**

Very respectfully,  
President

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

Whereupon, the Chair appointed Reps. WEST, OTT and J. E. JOHNSON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 968--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 968:

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

and asks for a Committee of Conference and has appointed Senators Shealy, Young and McElveen to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

[HJ]

**THURSDAY, MAY 12, 2022**

Whereupon, the Chair appointed Reps. YOW, MATTHEWS and MCGARRY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 935--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 935:

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Very respectfully,  
President

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

Whereupon, the Chair appointed Reps. ERICKSON, WHITMIRE and HAYES to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received from the Senate:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

[HJ]

**THURSDAY, MAY 12, 2022**

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 1092:

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.

Very respectfully,  
President

**S. 1092--HOUSE RECEDES FROM ITS AMENDMENTS**

On motion of Rep. MURPHY, the House receded from its amendments, and a message was ordered sent to the Senate accordingly.

**S. 243--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 243:

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

[HJ]

**THURSDAY, MAY 12, 2022**

INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

Very respectfully,  
President

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

Whereupon, the Chair appointed Reps. BERNSTEIN, COLLINS and DAVIS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received from the Senate:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 236:

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.

Very respectfully,  
President

**S. 236--HOUSE RECEDES FROM ITS AMENDMENTS**

On motion of Rep. MURPHY, the House receded from its amendments, and a message was ordered sent to the Senate accordingly.

[HJ]

**THURSDAY, MAY 12, 2022**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Davis, Matthews and Shealy to the Committee of Conference on the part of the Senate on S. 1025:

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

Very Respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Peeler, Setzler and Alexander to the Committee of Conference on the part of the Senate on H. 5150:

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.

Very Respectfully,

President

Received as information.

[HJ]

**THURSDAY, MAY 12, 2022**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Peeler, Setzler and Alexander to the Committee of Conference on the part of the Senate on H. 3346:

H. 3346 -- Reprs. 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.

Very Respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

[HJ]

**THURSDAY, MAY 12, 2022**

The Senate respectfully informs your Honorable Body that it has appointed Senators Peeler, Setzler and Alexander to the Committee of Conference on the part of the Senate on S. 1087:

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: 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.

Very Respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Peeler, Setzler and Alexander to the Committee of Conference on the part of the Senate on S. 1106:

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,

[HJ]

**THURSDAY, MAY 12, 2022**

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 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.

Very Respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Rankin, Grooms and McElveen to the Committee of Conference on the part of the Senate on S. 908:

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.

Very Respectfully,  
President

[HJ]



**THURSDAY, MAY 12, 2022**

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference 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, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL 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.

**S. 901--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 901:

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH

[HJ]

**THURSDAY, MAY 12, 2022**

CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

Very respectfully,  
President

On motion of Rep. G. M. SMITH, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. CRAWFORD, HEWITT and WEEKS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 233--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

The following was received from the Senate:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 233:

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.

and asks for a Committee of Conference and has appointed Senators Verdin, Davis and Williams to the Committee of Conference on the part of the Senate.

[HJ]

**THURSDAY, MAY 12, 2022**

Very respectfully,  
President

Whereupon, the Chair appointed Reps. CRAWFORD, HEWITT and WEEKS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received from the Senate:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 1031:

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.

Very respectfully,  
President

**S. 1031--HOUSE RECEDES FROM ITS AMENDMENTS**

On motion of Rep. MURPHY, the House receded from its amendments, and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received from the Senate:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 5144:

H. 5144 -- Reps. G. M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF

[HJ]

**THURSDAY, MAY 12, 2022**

PROPERTY OF TELEPHONE COMPANIES AND RURAL  
TELEPHONE COOPERATIVES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**H. 5182--ORDERED ENROLLED FOR RATIFICATION**

A message having been received from the Senate that it had receded from its amendments, it was ordered that the title of the Bill be changed to that of an Act and that the Act be enrolled for ratification.

**H. 4776--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4776:

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

[HJ]

**THURSDAY, MAY 12, 2022**

OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

and asks for a Committee of Conference and has appointed Senators Kimbrell, Grooms, and Hutto to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. MCCRAVY, WILLIS and HAYES to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 133--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 133:

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, Fanning and Alexander: 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 FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION

[HJ]

**THURSDAY, MAY 12, 2022**

CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Very respectfully,  
President

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

Whereupon, the Chair appointed Reps. TAYLOR, ELLIOTT and WHEELER to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 3055--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 3055:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT

[HJ]

**THURSDAY, MAY 12, 2022**

OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Very respectfully,  
President

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

[HJ]

**THURSDAY, MAY 12, 2022**

Whereupon, the Chair appointed Reps. HIXON, FORREST and ATKINSON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Young, Shealy and McElveen to the Committee of Conference on the part of the Senate on S. 243:

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.

Very Respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Rankin, Talley and Hutto to the Committee of Conference on the part of the Senate on S. 1077:

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

[HJ]



**THURSDAY, MAY 12, 2022**

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.

Very Respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received from the Senate:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Hembree, Grooms and Jackson to the Committee of Conference on the part of the Senate on S. 935:

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Very Respectfully,  
President  
Received as information.

[HJ]

**THURSDAY, MAY 12, 2022**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Garrett, M. Johnson and Scott to the Committee of Conference on the part of the Senate on S. 560:

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

Very Respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Talley, Climer and Sabb to the Committee of Conference on the part of the Senate on S. 17:

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

Very Respectfully,

President

Received as information.

[HJ]

**THURSDAY, MAY 12, 2022**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 1011:

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Verdin, Davis and Williams to the Committee of Conference on the part of the Senate on S. 901:

[HJ]

**THURSDAY, MAY 12, 2022**

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

Very Respectfully,  
President  
Received as information.

**REPORT OF STANDING COMMITTEE**

Rep. GILLIAM, from the Union Delegation, submitted a favorable report on:

S. 1299 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 164 OF 2003, AS AMENDED, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THESE SINGLE-MEMBER ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5392 -- Reps. Yow, Henegan and Lucas: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CHARLIE GRAY, CHIEF EXECUTIVE OFFICER OF CHESTERFIELD COUNTY RURAL WATER COMPANY, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-THREE YEARS OF

[HJ]

**THURSDAY, MAY 12, 2022**

EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5393 -- Reps. Ott, Hosey, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, 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, 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 COMMEND THE HONORABLE JERRY N. GOVAN, JR., ON HIS MERITORIOUS SERVICE IN THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES OVER THIRTY YEARS AND TO WISH HIM CONTENTMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5394 -- Rep. West: A HOUSE RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL PRESIDENT DOUGLAS X. ALEXANDER TO THE PALMETTO STATE ON THE OCCASION OF THE 100TH ANNIVERSARY OF THE ANDERSON LIONS

[HJ]

**THURSDAY, MAY 12, 2022**

CLUB AND TO HONOR THE ANDERSON LIONS CLUB FOR A CENTURY OF COMMUNITY SERVICE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5395 -- Reps. Govan, 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, 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 EXPRESS PROFOUND SORROW UPON THE PASSING OF MICHAEL "MR. MIKE" GRAMLING SALLEY, JR., TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5396 -- Reps. McDaniel, 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,

[HJ]

**THURSDAY, MAY 12, 2022**

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, 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 MARY LUCILLE KENNEDY MCDANIEL OF FAIRFIELD COUNTY ON THE OCCASION OF HER EIGHTY-EIGHTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5397 -- Reprs. Wooten, 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, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis and Yow: A HOUSE RESOLUTION TO HONOR THE HEROIC INTERVENTION OF ALLEN HUTTO OF

**THURSDAY, MAY 12, 2022**

LEXINGTON, WHO GAVE LIFESAVING ASSISTANCE TO TWO FISHERMEN ON MARCH 19, 2022, AND TO COMMEND HIM FOR HIS QUICK ACTION IN RESPONDING TO THE EMERGENCY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5398 -- Reprs. Garvin, 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, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE REVEREND JAMES S. HALL, JR., NATIVE OF MARION, ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO RECOGNIZE AND HONOR HIM FOR A LIFETIME OF SERVICE TO THE PEOPLE OF THE PALMETTO STATE, THIS GREAT NATION, AND TO THE CONGREGATION OF TRIUMPH BAPTIST CHURCH IN PHILADELPHIA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5402 -- Reprs. Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley,

[HJ]



**THURSDAY, MAY 12, 2022**

Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE STATE'S COMMUNITY ACTION AGENCIES FOR THEIR MANY SIGNIFICANT CONTRIBUTIONS TO THE CITIZENS OF THE PALMETTO STATE AND TO DECLARE MAY 2022 AS "COMMUNITY ACTION MONTH" IN SOUTH CAROLINA.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

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

H. 5399 -- Reps. Lucas, G. M. Smith, McCravy, T. Moore, White and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

Referred to Committee on Judiciary

H. 5400 -- Rep. Gilliard: A JOINT RESOLUTION TO CREATE THE SOUTH CAROLINA STUDY COMMITTEE ON HIGH-SPEED POLICE PURSUITS TO EXAMINE THE EFFECTS ON PUBLIC SAFETY.

Referred to Committee on Judiciary

H. 5401 -- Reps. Magnuson and McCabe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

**THURSDAY, MAY 12, 2022**

SECTION 16-3-100 SO AS TO ENACT THE "PERSONHOOD ACT OF SOUTH CAROLINA", TO ESTABLISH THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION AND THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY SECTION 3, ARTICLE I OF THE CONSTITUTION OF THIS STATE VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN BEING; AND TO REPEAL CHAPTER 41 OF TITLE 44 RELATING TO ABORTION.

Referred to Committee on Judiciary

**S. 628--NONCONCURRENCE IN SENATE AMENDMENTS**

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

S. 628 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHARMACY ACCESS ACT", BY ADDING SECTIONS 40 43 210, 40 43, 230, 40 43 240, 40 43 250, 40 43 260, AND 40 43 270, SO AS TO ALLOW PHARMACIES TO ADMINISTER AND DISPENSE CERTAIN HORMONAL CONTRACEPTION TO PATIENTS PURSUANT TO A STANDING ORDER AND IN ACCORDANCE WITH A WRITTEN JOINT PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY, TO BE ISSUED WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THE ACT; TO SET FORTH CERTAIN REQUIREMENTS FOR THE WRITTEN JOINT PROTOCOL; TO REQUIRE PHARMACISTS TO OBTAIN A SCREENING SELF ASSESSMENT FROM A PATIENT BEFORE ADMINISTERING OR DISPENSING HORMONAL CONTRACEPTION; TO PROVIDE CERTAIN LIMITATIONS FROM LIABILITY AND PROFESSIONAL DISCIPLINE FOR PRESCRIBERS AND PHARMACISTS; TO DEFINE TERMS; AND FOR OTHER PURPOSES; BY ADDING SECTION 44 6 115 SO AS TO REQUIRE THE MEDICAID PROGRAM TO COVER PHARMACEUTICAL SERVICES THAT INCLUDE ACCESS TO HORMONAL CONTRACEPTION; AND BY ADDING SECTION 40 43 195 SO AS TO PROVIDE FOR THE PERMITTING OF CENTRAL FILL PHARMACIES TO FILL PRESCRIPTION DRUG ORDERS AT THE REQUEST OF AN ORIGINATING PHARMACY; TO DEFINE TERMS; TO ESTABLISH CERTAIN REQUIREMENTS REGARDING THE USE AND OPERATION OF CENTRAL FILL

[HJ]

THURSDAY, MAY 12, 2022

PHARMACIES; TO REQUIRE CERTAIN RECORD KEEPING; AND FOR OTHER PURPOSES.

Rep. OTT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 1; Nays 102

Those who voted in the affirmative are:

Fry

**Total--1**

Those who voted in the negative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
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	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

[HJ]

**THURSDAY, MAY 12, 2022**

Parks	Pendarvis	Pope
Rose	Rutherford	Sandifer
Simrill	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

**Total--102**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 4757--SENATE AMENDMENTS CONCURRED IN**

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

H. 4757 -- Reps. McGarry, B. Newton, Yow and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 521 FROM ANDREW JACKSON HIGH SCHOOL IN LANCASTER COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 "REPRESENTATIVE JIMMY NEAL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bernstein	Blackwell
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Davis
Dillard	Elliott	Felder

[HJ]

**THURSDAY, MAY 12, 2022**

Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	K. O. Johnson	Jones
Jordan	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Ott
Pendarvis	Pope	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	Stavrinakis	Tedder
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--100**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

**H. 5069--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 5069 -- Reps. Yow, Henegan and Lucas: A CONCURRENT  
RESOLUTION TO REQUEST THE DEPARTMENT OF

[HJ]

THURSDAY, MAY 12, 2022

TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHERAW IN CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH TOWN AND COUNTRY ROAD TO ITS INTERSECTION WITH WINDSOR DRIVE "DR. JOSEPH KERSHAW NEWSOM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Rep. YOW explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	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	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	K. O. Johnson
Jordan	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss

[HJ]

**THURSDAY, MAY 12, 2022**

Murphy	Murray	B. Newton
Nutt	Ott	Pendarvis
Pope	Rose	Rutherford
Sandifer	G. M. Smith	Stavrinakis
Taylor	Tedder	Weeks
West	Wetmore	Wheeler
Whitmire	R. Williams	Willis
Wooten	Yow	

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**H. 5288--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

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.

THURSDAY, MAY 12, 2022

Rep. WEEKS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Davis	Dillard	Elliott
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gilliam	Gilliard	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Hewitt	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Pendarvis	Pope
Rose	Rutherford	Sandifer
G. M. Smith	Stavrinakis	Taylor
Tedder	Weeks	West
Wetmore	Wheeler	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--97**

[HJ]



THURSDAY, MAY 12, 2022

Those who voted in the negative are:

**Total--0**

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

**H. 4062--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

Rep. WEST explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 10

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	B. Cox	W. Cox
Crawford	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Fry	Gagnon
Garvin	Gilliam	Gilliard

[HJ]

**THURSDAY, MAY 12, 2022**

Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
King	Kirby	Ligon
Long	Lucas	Matthews
McCrary	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Ott
Parks	Pendarvis	Pope
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrinnakis
Tedder	Thayer	West
Wetmore	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--91**

Those who voted in the negative are:

Dabney	Haddon	Hill
Jones	Magnuson	May
McCabe	Morgan	Oremus
Taylor		

**Total--10**

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

**H. 4775--NONCONCURRENCE IN SENATE AMENDMENTS**

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

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER

THURSDAY, MAY 12, 2022

RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Rep. STAVRINAKIS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 100

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

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

[HJ]

154

**THURSDAY, MAY 12, 2022**

Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Garvin
Gilliam	Gilliard	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	McCabe
McCravy	McDaniel	McGinnis
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rose
Rutherford	Sandifer	Simrill
Stavrinakis	Taylor	Tedder
Thayer	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--100**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3291--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

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

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V. S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE [HJ]

THURSDAY, MAY 12, 2022

OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

Rep. POPE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Garvin
Gilliam	Gilliard	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	J. E. Johnson	K. O. Johnson
Jones	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	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	Rose

[HJ]

**THURSDAY, MAY 12, 2022**

Sandifer	G. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
West	Wetmore	Wheeler
Whitmire	R. Williams	Willis
Wooten	Yow	

**Total--101**

Those who voted in the negative are:

Caskey

**Total--1**

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

**H. 4831--NONCONCURRENCE IN SENATE AMENDMENTS**

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

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 104

THURSDAY, MAY 12, 2022

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	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
Haddon	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCrary	McDaniel
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
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
West	Wetmore	Wheeler

**THURSDAY, MAY 12, 2022**

White  
Willis

Whitmire  
Yow

R. Williams

**Total--104**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**STATEMENT BY REP. DILLARD**

Rep. DILLARD made a statement relative to Rep. ROBINSON'S service in the House.

**STATEMENT BY REP. ROBINSON**

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

**S. 628--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 628:

S. 628 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHARMACY ACCESS ACT", BY ADDING SECTIONS 40 43 210, 40 43, 230, 40 43 240, 40 43 250, 40 43 260, AND 40 43 270, SO AS TO ALLOW PHARMACIES TO ADMINISTER AND DISPENSE CERTAIN HORMONAL CONTRACEPTION TO PATIENTS PURSUANT TO A STANDING ORDER AND IN ACCORDANCE WITH A WRITTEN JOINT PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY, TO BE ISSUED WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THE ACT; TO SET FORTH CERTAIN REQUIREMENTS FOR THE WRITTEN JOINT PROTOCOL; TO REQUIRE PHARMACISTS TO OBTAIN A SCREENING SELF ASSESSMENT FROM A PATIENT BEFORE ADMINISTERING OR DISPENSING HORMONAL CONTRACEPTION; TO PROVIDE CERTAIN LIMITATIONS FROM LIABILITY AND PROFESSIONAL DISCIPLINE FOR

[HJ]



**THURSDAY, MAY 12, 2022**

PRESCRIBERS AND PHARMACISTS; TO DEFINE TERMS; AND FOR OTHER PURPOSES; BY ADDING SECTION 44 6 115 SO AS TO REQUIRE THE MEDICAID PROGRAM TO COVER PHARMACEUTICAL SERVICES THAT INCLUDE ACCESS TO HORMONAL CONTRACEPTION; AND BY ADDING SECTION 40 43 195 SO AS TO PROVIDE FOR THE PERMITTING OF CENTRAL FILL PHARMACIES TO FILL PRESCRIPTION DRUG ORDERS AT THE REQUEST OF AN ORIGINATING PHARMACY; TO DEFINE TERMS; TO ESTABLISH CERTAIN REQUIREMENTS REGARDING THE USE AND OPERATION OF CENTRAL FILL PHARMACIES; TO REQUIRE CERTAIN RECORD KEEPING; AND FOR OTHER PURPOSES.

and asks for a Committee of Conference and has appointed Senators Hutto, Davis, and Cromer to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. JORDAN, OTT and LOWE to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 4775--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4775:

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM

[HJ]

**THURSDAY, MAY 12, 2022**

REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

and asks for a Committee of Conference and has appointed Senators Talley, Kimbrell and Stephens to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. HIXON, FORREST and ATKINSON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 506--CONFERENCE REPORT ADOPTED**

**S. 506 -- Conference Report**

The General Assembly, Columbia, S.C., May 11, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

[HJ]

THURSDAY, MAY 12, 2022

REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL 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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 44-1-143 of the 1976 Code is amended to read:

“Section 44-1-143. (A) For the purposes of this section:

(1) ‘Home-based food production operation’ means an individual, operating out of the individual’s dwelling, who prepares, processes, packages, stores, and distributes nonpotentially hazardous foods for sale directly to a person, including online and by mail order, or to retail stores, including grocery stores. ‘Home-based food production operation’ does not include preparing, processing, packaging, storing, or distributing aluminum canned goods or charcuterie boards.

(2) ‘Nonpotentially hazardous foods’ are foods ~~eandy and baked goods~~ that are not potentially hazardous ~~foods~~.

(3) ‘Person’ means an individual consumer.

(4) ‘Potentially hazardous foods’ includes:

(a) an animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts; cut melons; cut leafy greens; cut tomatoes or mixtures of cut tomatoes not modified to prevent microorganism growth or toxin formation; garlic-in-oil mixtures not modified to prevent microorganism growth or toxin formation;

(b) certain foods that are designated as Product Assessment Required (PA) because of the interaction of the pH and Aw values in these foods. Below is a table indicating the interaction of pH and Aw for

**THURSDAY, MAY 12, 2022**

control of spores in food heat-treated to destroy vegetative cells and subsequently packaged:

Aw values    pH values

4.6 or less    >4.6—5.6    >5.6

- (1) <0.92    non-PHF    non-PHF    non-PHF
- (2) >0.92—0.95    non-PHF    non-PHF    PHF
- (3) >0.95    non-PHF    PHF    PHF

Foods in item (2) with a pH value greater than 5.6 and foods in item (3) with a pH value greater than 4.6 are considered potentially hazardous unless a product assessment is conducted pursuant to the 2009 Federal Drug Administration Food Code.

(B) The operator of the home-based food production operation must take all reasonable steps to protect food items intended for sale from contamination while preparing, processing, packaging, storing, and distributing the items, including, but not limited to:

(1) maintaining direct supervision of any person, other than the operator, engaged in the processing, preparing, packaging, or handling of food intended for sale;

(2) prohibiting all animals, including pets, from entering the area in the dwelling in which the home-based food production operation is located while food items are being prepared, processed, or packaged and prohibiting these animals from having access to or coming in contact with stored food items and food items being assembled for distribution;

(3) prohibiting all domestic activities in the kitchen while the home-based food production operation is processing, preparing, packaging, or handling food intended for sale;

(4) prohibiting any person who is infected with a communicable disease that can be transmitted by food, who is a carrier of organisms that can cause a communicable disease that can be transmitted by food, who has an infected wound, or who has an acute respiratory infection from processing, preparing, packaging, or handling food intended for sale by the home-based food production operation; and

(5) ensuring that all people engaged in processing, preparing, packaging, or handling food intended for sale by the home-based food production operation are knowledgeable of and follow safe food handling practices.

(C) Each home-based food production operation shall maintain a clean and sanitary facility to produce nonpotentially hazardous foods including, but not limited to:

- (1) department-approved water supply;

THURSDAY, MAY 12, 2022

(2) a separate storage place for ingredients used in foods intended for sale;

(3) a properly functioning refrigeration unit;

(4) adequate facilities, including a sink with an adequate hot water supply to meet the demand for the cleaning and sanitization of all utensils and equipment;

(5) adequate facilities for the storage of utensils and equipment;

(6) adequate hand washing facilities separate from the utensil and equipment cleaning facilities;

(7) a properly functioning toilet facility;

(8) no evidence of insect or rodent activity; and

(9) department-approved sewage disposal, either onsite treatment or publicly provided.

(D) All food items packaged at the operation for sale must be properly labeled. The label must comply with federal laws and regulations and must include:

(1) the name and address of the home-based food production operation. If a home-based food production operator does not want to include his address on the label, then the department shall provide an identification number to the operator, upon the operator's request, that can be used on the label instead;

(2) the name of the product being sold;

(3) the ingredients used to make the product in descending order of predominance by weight; and

(4) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads: '~~NOT FOR RESALE~~ PROCESSED AND PREPARED BY A HOME-BASED FOOD PRODUCTION OPERATION THAT IS NOT SUBJECT TO SOUTH CAROLINA'S FOOD SAFETY REGULATIONS.'

(E) Home-based food operations only may sell, or offer to sell, food items directly to a person, including online and by mail order, or to retail stores, including grocery stores for his own use and not for resale. A home-based food operation may not sell, or offer to sell, food items at wholesale. Food produced from a home-based food production operation ~~must not~~ shall be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61.25. Any retail stores, including grocery stores, that sell or offer to sell home-based food products must post clearly visible signage indicating that home-based food products are not subject to commercial food regulations.

THURSDAY, MAY 12, 2022

(F) A home-based food production operation is not a retail food establishment and is not subject to regulation by the department pursuant to Regulation 61.25.

(G) The provisions of this section do not apply to an operation with net earnings of less than ~~five~~ fifteen hundred dollars annually but that would otherwise meet the definition of a home-based food operation provided in subsection (A)(1).

(H) [Deleted]

(I) The provisions of this section apply in the absence of a local ordinance to the contrary.”

SECTION 2. This act takes effect upon approval by the Governor./

A BILL TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL 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.

/s/Sen. David Wesley “Wes” Climer /s/Rep. Stewart O. Jones  
/s/Sen. Michael William “Mike” Fanning /s/Rep. Krystle N. Matthews  
/s/Sen. Josh Kimbrell /s/Rep. Sandy N. McGarry  
On Part of the Senate. On Part of the House.

Rep. MATTHEWS explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bennett	Blackwell	Bradley
Brawley	Brittain	Burns

[HJ]

**THURSDAY, MAY 12, 2022**

Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gilliam	Gilliard
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
D. C. Moss	V. S. Moss	Murphy
Murray	W. Newton	Nutt
Oremus	Ott	Pendarvis
Rivers	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
Stavrinakis	Tedder	Thayer
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--100**

Those who voted in the negative are:

**Total--0**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

THURSDAY, MAY 12, 2022

**S. 628--CONFERENCE REPORT ADOPTED**

**S. 628 -- Conference Report**

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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 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

[HJ]



THURSDAY, MAY 12, 2022

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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. This act shall be referred to as the “Pharmacy Access Act”.

SECTION 2. Chapter 43, Title 40 of the 1976 Code is amended by adding:

“Section 40-43-210. As used in this chapter:

(1) ‘Administer’ has the same meaning as in Section 40-43-30.

(2) ‘Department’ means the Department of Labor, Licensing and Regulation.

(3) ‘Dispense’ has the same meaning as in Section 40-43-30.

(4) ‘Injectable hormonal contraceptive’ means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that a practitioner administers to a patient by injection. ‘Injectable hormonal contraceptive’ does not include any drug intended to terminate a pregnancy.

(5) ‘Patient counseling’ has the same meaning as in Section 40-43-30.

(6) ‘Pharmacist’ has the same meaning as in Section 40-43-30.

(7) ‘Practitioner’ has the same meaning as in Section 40-47-20.

(8) ‘Prescriber’ means a physician licensed pursuant to Chapter 47, Title 40; an advanced practice registered nurse licensed pursuant to Chapter 33, Title 40 and prescribing in accordance with the requirements of that chapter; or a physician assistant licensed pursuant to Article 7, Chapter 47, Title 40 and prescribing in accordance with the requirements of that article.

(9) ‘Self-administered hormonal contraceptive’ means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent

pregnancy and that the patient to whom the drug is prescribed may administer to himself. 'Self-administered hormonal contraceptive' includes an oral hormonal contraceptive, a hormonal vaginal ring, and a hormonal contraceptive patch. 'Self-administered hormonal contraceptive' does not include any drug intended to terminate a pregnancy.

Section 40-43-230. (A) A person licensed under the South Carolina Pharmacy Practice Act who is acting in good faith and exercising reasonable care as a pharmacist and who is employed by a hospital or a pharmacy that is permitted by this State may dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive pursuant to a standing order by a prescriber to a patient who is:

- (1) eighteen years of age or older; or
- (2) under eighteen years of age if the person has evidence of a previous prescription from a practitioner for a self-administered hormonal contraceptive or an injectable hormonal contraceptive.

(B) Nothing in this section requires a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive. Nothing in this article shall be construed to amend a pharmacist's duties to dispense or otherwise provide contraception prescribed by another provider.

Section 40-43-240. (A) The Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol to authorize a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive without a patient-specific written order.

(B) The written joint protocol must address, at a minimum, the following requirements:

- (1) education or training requirements that the Board of Medical Examiners and the Board of Pharmacy determine to be necessary for a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive;
- (2) information that a pharmacist must provide to a patient prior to dispensing a self-administered hormonal contraceptive or administering an injectable hormonal contraceptive and confirmation that the required information was provided to the patient;
- (3) documentation regarding the dispensing of a self-administered hormonal contraceptive or the administering of an injectable hormonal contraceptive;

**THURSDAY, MAY 12, 2022**

(4) notification to a patient's designated practitioner that a self-administered hormonal contraceptive was dispensed to the patient or that an injectable hormonal contraceptive was administered to the patient;

(5) evaluation and review of the dispensing and administration practices used by pharmacists authorized to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive; and

(6) any additional provisions that the Board of Medical Examiners and the Board of Pharmacy determine to be necessary or appropriate for inclusion in the protocol, including any reporting requirements.

(C) For each new patient requesting contraception and at least every twelve months for each returning patient, the written joint protocol must require a pharmacist dispensing or administering contraceptives pursuant to this chapter to:

(1) obtain a completed self-screening risk assessment;

(2) utilize a standardized procedure as established by the Board of Medical Examiners and the Board of Pharmacy to perform a patient assessment;

(3) dispense, if clinically appropriate, a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive, or refer the patient to a practitioner;

(4) provide the patient with a visit summary;

(5) advise the patient to consult with a practitioner;

(6) refer any patient who may be subject to abuse to the appropriate social services agency; and

(7) ensure that the pharmacy provides appropriate space to prevent the spread of infection and ensure confidentiality.

(D) The Board of Medical Examiners and the Board of Pharmacy may appoint an advisory committee of healthcare professionals licensed in this State to advise and assist in the development of the joint protocol for their consideration.

Section 40-43-250. (A) Prior to dispensing self-administered hormonal contraceptives or administering injectable hormonal contraceptives pursuant to Section 40-43-240, a pharmacist must have completed a certificate program that has been accredited by the American Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners, as specified in the joint protocol, that is program-specific to self-administered hormonal contraceptives or injectable hormonal contraceptives, that includes the application of the

**THURSDAY, MAY 12, 2022**

United States Medical Eligibility Criteria for Contraceptive Use, and that includes other Centers for Disease Control and Prevention guidance on contraception. To maintain eligibility, a pharmacist must complete at least one hour of continuing education per year that is offered by an entity approved by the Board of Medical Examiners and the Board of Pharmacy.

(B) An equivalent, curriculum-based training program completed on or after January 2021 in an accredited South Carolina pharmacy school satisfies the initial education requirement.

Section 40-43-260. (A) A pharmacist who dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive pursuant to this chapter shall:

(1) obtain a completed self-screening risk assessment questionnaire that has been approved by the department, in collaboration with the Board of Pharmacy and the Board of Medical Examiners, from the patient before dispensing the self-administered hormonal contraceptive or administering the injectable hormonal contraceptive. If the results of the assessment indicate that it is unsafe to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to a patient, then the pharmacist may not dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to the patient, shall refer the patient to a practitioner, and may not continue to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to the patient for more than twenty-four months after the date of the initial prescription without evidence that the patient has consulted with a practitioner during the preceding twenty-four months; and

(2) provide the patient with written information regarding:

(a) the importance of seeing the patient's practitioner annually to obtain recommended tests and screening;

(b) the effectiveness and availability of long-acting reversible contraceptives as an alternative to self-administered hormonal contraceptives or injectable hormonal contraceptives;

(c) a copy of the record of the encounter with the patient that includes the patient's completed assessment questionnaire pursuant to item (1);

(d) a description of the contraceptive dispensed or administered, or the basis for not dispensing or administering a contraceptive;

**THURSDAY, MAY 12, 2022**

(e) the South Carolina Medicaid program and how to apply for Medicaid benefits; and

(f) the effectiveness of abstinence in preventing pregnancy and contracting a sexually transmitted infection or disease. The materials shall include the following: Abstinence is the choice not to have sex. This method is one hundred percent effective in preventing pregnancy and infection as long as all sexual contact is avoided, including vaginal, oral, and anal sex.

(B) If a pharmacist dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive to a patient, then the pharmacist shall, at a minimum, provide patient counseling to the patient regarding:

- (1) the appropriate administration and storage of a self-administered hormonal contraceptive, if appropriate;
- (2) any potential side effects and risks of a self-administered hormonal contraceptive or injectable hormonal contraceptive;
- (3) the need for backup contraception;
- (4) when to seek emergency medical attention; and
- (5) the risk of contracting a sexually transmitted infection or disease, along with ways to reduce the risk of contraction.

Section 40-43-270. (A) A prescriber who issues a standing prescription drug order in accordance with Section 40-43-260 is not liable for any civil damages for acts or omissions resulting from the dispensing of a self-administered hormonal contraceptive or the administering of an injectable hormonal contraceptive under this chapter.

(B) A pharmacist who dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive in accordance with the provisions of this article is not as a result of an act or omission subject to civil or criminal liability or to professional disciplinary action.”

SECTION 3. Article 1, Chapter 6, Title 44 of the 1976 Code is amended by adding:

“Section 44-6-115. (A) Pharmacy services are a benefit under South Carolina Medicaid, subject to approval by the federal Centers for Medicare and Medicaid Services. The department shall establish a fee schedule for the list of pharmacy services.

(B)(1) The following services are covered pharmacy services that may be provided to a Medicaid beneficiary:

**THURSDAY, MAY 12, 2022**

(a) dispensing self-administered hormonal contraceptives, as outlined and authorized in Section 40-43-230; and

(b) administering injectable hormonal contraceptives, as outlined and authorized in Section 40-43-230.

(2) Covered pharmacy services shall be subject to department protocols and utilization controls.

(C) A pharmacist shall be enrolled as an ordering, referring, and dispensing provider under the Medicaid program prior to rendering a pharmacist service that is submitted by a Medicaid pharmacy provider for reimbursement pursuant to this section.

(D) The director of the department shall seek any necessary federal approvals to implement this section. This section shall not be implemented until the necessary federal approvals are obtained and shall be implemented only to the extent that federal financial participation is available.

(E) This section does not restrict or prohibit any services currently provided by pharmacists as authorized by law, including, but not limited to, this chapter or the Medicaid state plan.”

SECTION 4. The Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol pursuant to Section 40-43-240 not later than six months after the passage of this act.

SECTION 5. A. Chapter 43, Title 40 of the 1976 Code is amended by adding:

“Section 40-43-195. (A) For purposes of this section:

(1) ‘Central fill’ means the filling of a prescription drug order by one central fill pharmacy permitted by this State at the request of an originating pharmacy permitted by this State.

(2) ‘Central fill pharmacy’ means a permitted pharmacy facility that, upon the request of an originating pharmacy, fills a prescription drug order and returns the filled prescription to the originating pharmacy for delivery to the patient or patient’s agent. A central fill pharmacy that returns filled prescriptions to an originating pharmacy must not be required to obtain a wholesaler/distributor permit.

(3) ‘Originating pharmacy’ means a pharmacy permitted by and located in this State that, upon receipt of a prescription drug order from a patient, requests a central fill pharmacy to fill the order and upon receipt of the filled prescription drug order, delivers the prescription to the patient or patient’s agent.

**THURSDAY, MAY 12, 2022**

(B)(1) An originating pharmacy permitted by this State may outsource a prescription drug order filling to a central fill pharmacy permitted by this State if the pharmacies:

(a) have the same owner or have entered into a written contract or agreement that outlines the services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws and regulations;

(b) share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to dispense or process a prescription drug order;

(c) ensure all state and federal laws regarding patient confidentiality, network security, and use of shared databases are followed; and

(d) maintain the prescription information in a readily retrievable manner.

(2) The pharmacist-in-charge of a central fill pharmacy shall ensure that:

(a) the pharmacy maintains and uses adequate storage or shipment containers and shipping processes to ensure drug stability and potency. These shipping processes must include the use of appropriate packaging material or devices, or both, to ensure that the drug is maintained at an appropriate temperature range to maintain the integrity of the medication throughout the delivery process; and

(b) the filled prescriptions are shipped in containers that are sealed in a manner that would show evidence of having been opened or tampered with.

(3) To the extent that a central fill pharmacy dispenses controlled substances, the central fill pharmacy must obtain a registration from the Department of Health and Environmental Control, Bureau of Drug Control. Controlled substance prescriptions filled by a central fill pharmacy must comply with both state and federal statutes and regulations.

(4) To the extent a pharmacy is acting as a central fill pharmacy, it may not:

(a) fill prescriptions for controlled substances listed in Schedule II;

(b) fill prescriptions provided directly by a patient or an individual practitioner;

(c) mail or otherwise deliver a prescription directly to a patient or an individual practitioner; or

**THURSDAY, MAY 12, 2022**

(d) provide or dispense cannabis products not approved by the Federal Drug Administration.

(C)(1) An originating pharmacy that outsources prescription filling to a central fill pharmacy must, prior to outsourcing the prescription:

(a) notify patients that their prescription may be filled by another pharmacy; and

(b) provide the name of that pharmacy or notify the patient if the pharmacy is part of a network of pharmacies under common ownership and that any of the network pharmacies may fill the prescription.

(2) Patient notification may be provided through a one-time written notice to the patient or through use of a sign in the pharmacy.

(D)(1) A central fill pharmacy must provide written information regarding the prescription with the filled prescription and a toll-free phone number for patient questions. The following statement must be provided with the prescription before delivery to the patient:

‘Written information about this prescription has been provided for you. Please read this information before you take the medication. If you have questions concerning this prescription, a pharmacist is available during normal business hours to answer these questions’.

(2) A pharmacist at the originating pharmacy shall offer the patient or the patient’s agent information about the prescription drug or device in accordance with Section 40-43-86(L).

(3) This subsection does not apply to patients in facilities including, but not limited to, hospitals or nursing homes, where drugs are administered to patients by a person authorized to do so by law.

(E) The central fill pharmacy must:

(1) place on the prescription label:

(a) the name and address or name and pharmacy license number of the pharmacy filling the prescription;

(b) the name and address of the originating pharmacy which receives the filled prescription for delivery to the patient or the patient’s agent; and

(c) in some manner indicate which pharmacy filled the prescription (e.g., ‘Filled by ABC Pharmacy for XYZ Pharmacy’); and

(2) comply with all other labeling requirements of federal and state law including, but not limited to, Section 40-43-86.

(F) A central fill policy and procedure manual must be maintained at both pharmacies and must be available for inspection. The originating and central fill pharmacies are required to maintain only those portions



**THURSDAY, MAY 12, 2022**

of the policy and procedure manual that relate to that pharmacy's operations. The manual must at minimum contain:

(1) An outline of the responsibilities of the central fill pharmacy and the originating pharmacy including, but not limited to:

- (a) patient notification of central fill processing;
- (b) confidentiality and integrity of patient information procedures;
- (c) drug utilization review;
- (d) record keeping and logs, including a list of the names, addresses, phone numbers, and license or registration numbers of the pharmacies, pharmacists, and pharmacy technicians at the central fill pharmacy and at the originating pharmacy;
- (e) counseling responsibilities;
- (f) procedures for return of prescriptions not delivered to a patient and procedures for invoicing medication transfers;
- (g) policies for operating a continuous quality improvement program for pharmacy services designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems;
- (h) safe delivery of prescriptions to patients;
- (i) processes to ensure stability and potency of medication;
- (j) requirements for storage and shipment of prescription medication; and
- (k) procedures for conducting an annual review of written policies and procedures and for documentation of this review.

(2) Other responsibilities regarding proper handling of a prescription and delivery to a patient or a patient's agent pursuant to this chapter and the Department of Health and Environmental Control, controlled substances laws and regulations.

(G)(1) Records may be maintained in an alternative data retention system including, but not limited to, a data processing system or direct imaging system, if:

- (a) the records maintained in the alternative system contain all of the information required on the manual record; and
- (b) the data processing system is capable of producing a hard copy of the record upon the request of the board, its representative, or other authorized local, state, or federal law enforcement or regulatory agency.

**THURSDAY, MAY 12, 2022**

(2) Each pharmacy must maintain records in accordance with the provisions of Section 40-43-86 and must be able to produce records as requested by the board.

(3) The originating pharmacy records must include the date the request for filling was transmitted to the central fill pharmacy.

(4) The central fill pharmacy records must include:

(a) the date the filled prescription was mailed by the central fill pharmacy; and

(b) the name and address to which the filled prescription was shipped.

(H)(1) A central fill pharmacy must complete a central fill pharmacy permit application provided by the board, following the procedures as specified in Section 40-43-83, and also provide the following information:

(a) evidence that the applicant holds a pharmacy license, registration, or permit issued by the state in which the pharmacy is located;

(b) the name of the owner, permit holder, and pharmacist-in-charge of the pharmacy for service of process;

(c) evidence of the applicant's ability to provide to the board a record of a prescription drug order dispensed by the applicant to a resident of this State not later than seventy-two hours after the time the board requests the record;

(d) an affidavit by the pharmacist-in-charge which states that the pharmacist has read and understands the laws and regulations relating to a central fill pharmacy in this State; and

(e) pay the required fee as set by the board through regulation.

(2) A central fill pharmacy must comply with all provisions of this chapter.

(I) Nothing in this section may be construed to circumvent any requirement of Section 40-43-86 of the South Carolina Pharmacy Practice Act.

(J) A central fill pharmacy may not contact a patient for whom it has provided central fill services on behalf of an originating pharmacy for the purpose of soliciting or requesting to refill a prescription, or to fill a new prescription, for a period of five years after the originating pharmacy has stopping using the services of the central fill pharmacy.”

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

**THURSDAY, MAY 12, 2022**

SECTION 6. Except as otherwise specifically provided, this act takes effect upon the issuance of a written joint protocol pursuant to SECTION 4 of this act. /

Amend title to conform.

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHARMACY ACCESS ACT", BY ADDING SECTIONS 40-43-210, 40-43, 230, 40-43-240, 40-43-250, 40-43-260, AND 40-43-270, SO AS TO ALLOW PHARMACIES TO ADMINISTER AND DISPENSE CERTAIN HORMONAL CONTRACEPTION TO PATIENTS PURSUANT TO A STANDING ORDER AND IN ACCORDANCE WITH A WRITTEN JOINT PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY, TO BE ISSUED WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THE ACT; TO SET FORTH CERTAIN REQUIREMENTS FOR THE WRITTEN JOINT PROTOCOL; TO REQUIRE PHARMACISTS TO OBTAIN A SCREENING SELF-ASSESSMENT FROM A PATIENT BEFORE ADMINISTERING OR DISPENSING HORMONAL CONTRACEPTION; TO PROVIDE CERTAIN LIMITATIONS FROM LIABILITY AND PROFESSIONAL DISCIPLINE FOR PRESCRIBERS AND PHARMACISTS; TO DEFINE TERMS; AND FOR OTHER PURPOSES; BY ADDING SECTION 44-6-115 SO AS TO REQUIRE THE MEDICAID PROGRAM TO COVER PHARMACEUTICAL SERVICES THAT INCLUDE ACCESS TO HORMONAL CONTRACEPTION; AND BY ADDING SECTION 40-43-195 SO AS TO PROVIDE FOR THE PERMITTING OF CENTRAL FILL PHARMACIES TO FILL PRESCRIPTION DRUG ORDERS AT THE REQUEST OF AN ORIGINATING PHARMACY; TO DEFINE TERMS; TO ESTABLISH CERTAIN REQUIREMENTS REGARDING THE USE AND OPERATION OF CENTRAL FILL PHARMACIES; TO REQUIRE CERTAIN RECORD KEEPING; AND FOR OTHER PURPOSES.

/s/Sen. Ronnie W. Cromer

/s/Sen. Brad Hutto

/s/Sen. Tom Davis

On Part of the Senate.

/s/Rep. Russell L. Ott

/s/Rep. Wallace H. "Jay" Jordan Jr.

/s/Rep. Phillip Dean Lowe

On Part of the House.

Rep. OTT explained the Conference Report.

[HJ]

**THURSDAY, MAY 12, 2022**

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 12

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Blackwell
Brawley	Brittain	Burns
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Elliott	Felder	Forrest
Fry	Gagnon	Garvin
Gilliam	Gilliard	Govan
Haddon	Hardee	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Matthews
May	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
V. S. Moss	Murphy	Murray
W. Newton	Nutt	Oremus
Ott	Parks	Pope
Rivers	Robinson	Rose
Rutherford	Simrill	G. M. Smith
Stavrinakis	Tedder	Weeks
West	Wetmore	Wheeler
R. Williams	Willis	Wooten
Yow		

**Total--91**

**THURSDAY, MAY 12, 2022**

Those who voted in the negative are:

Bradley	Bustos	Dabney
Hayes	Hill	Hiott
McCabe	D. C. Moss	Sandifer
Thayer	White	Whitmire

**Total--12**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 628:

S. 628 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHARMACY ACCESS ACT", BY ADDING SECTIONS 40 43 210, 40 43, 230, 40 43 240, 40 43 250, 40 43 260, AND 40 43 270, SO AS TO ALLOW PHARMACIES TO ADMINISTER AND DISPENSE CERTAIN HORMONAL CONTRACEPTION TO PATIENTS PURSUANT TO A STANDING ORDER AND IN ACCORDANCE WITH A WRITTEN JOINT PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY, TO BE ISSUED WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THE ACT; TO SET FORTH CERTAIN REQUIREMENTS FOR THE WRITTEN JOINT PROTOCOL; TO REQUIRE PHARMACISTS TO OBTAIN A SCREENING SELF ASSESSMENT FROM A PATIENT BEFORE ADMINISTERING OR DISPENSING HORMONAL CONTRACEPTION; TO PROVIDE CERTAIN LIMITATIONS FROM LIABILITY AND PROFESSIONAL DISCIPLINE FOR PRESCRIBERS AND PHARMACISTS; TO DEFINE TERMS; AND FOR OTHER PURPOSES; BY ADDING SECTION 44 6 115 SO AS TO REQUIRE THE MEDICAID PROGRAM TO COVER PHARMACEUTICAL SERVICES THAT INCLUDE ACCESS TO HORMONAL CONTRACEPTION; AND BY ADDING SECTION 40 43 195 SO AS TO PROVIDE FOR THE PERMITTING OF CENTRAL

[HJ]

**THURSDAY, MAY 12, 2022**

FILL PHARMACIES TO FILL PRESCRIPTION DRUG ORDERS AT THE REQUEST OF AN ORIGINATING PHARMACY; TO DEFINE TERMS; TO ESTABLISH CERTAIN REQUIREMENTS REGARDING THE USE AND OPERATION OF CENTRAL FILL PHARMACIES; TO REQUIRE CERTAIN RECORD KEEPING; AND FOR OTHER PURPOSES.

Very respectfully,  
President  
Received as information.

**S. 628--ORDERED ENROLLED FOR RATIFICATION**

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

**H. 3729--CONFERENCE REPORT ADOPTED**

**H. 3729 -- Conference Report**

The General Assembly, Columbia, S.C., May 11, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE

[HJ]

THURSDAY, MAY 12, 2022

PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/SECTION 1. Section 16-11-760(B) of the 1976 Code is amended to read:

“(B) A vehicle found parked on private property may be towed and stored at the expense of the registered owner or lienholder, subject to the limitations on allowed storage charges set forth in Section 29-15-10, and charges for towing, storing, preserving the vehicle, and expenses incurred if the owner and lienholder are notified pursuant to Section 29-15-10 constitute a lien against the vehicle, provided that the towing company makes notification to the law enforcement agency pursuant to Section 56-5-2525.”

SECTION 2. Section 29-15-10(A), (B), (C), (D), and (E) of the 1976 Code is amended to read:

“(A) A proprietor, an owner, or an operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes any material for repairs to an article may sell the article at public auction to the highest bidder if:

(1) the article has been left at the shop for repairs or storage and the repairs have been completed or the storage contract has expired;

(2) the article has been continuously retained in his possession; and

(3) thirty days have passed since written notice was given to the owner of the article and to any lienholder by registered or certified mail, return receipt requested, or certified mail with electronic tracking that the repairs have been completed or the storage contract has expired.

The article must be sold by a magistrate of the county in which the repairs were done or the article was stored.

THURSDAY, MAY 12, 2022

~~(B) Storage costs may be charged that have accrued before the notification of the owner and lienholder, by certified or registered mail, of the location of the article. Notification to the owner and lienholder by the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must occur within five days, after receiving the owner's and lienholders' identities. If the notice is not mailed within this period, storage costs after the five-day period must not be charged until the notice is mailed. A proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes materials for repairs to an article may charge the owner and lienholder for only such storage costs that accrue for a maximum period of seven (7) business days before notice of the location of the article is sent by registered or certified mail, return receipt requested, or certified mail with electronic tracking to the owner and lienholders of the article. No other storage costs can be charged to the owner or lienholders for such time period before the notice of the location of the article is sent to the owner and lienholders. The notice must be sent within five business days after receiving the owner's and lienholder's identities from the search required in subsection (C). The notice must include a description of the article and the amount of daily storage costs that will accrue after the notice is sent. A proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes materials for repairs to an article may charge the owner and lienholders storage costs that accrue for the time period after such notice is sent as required herein.~~

(C)(1) Before the article is sold, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article must apply to the appropriate titling facility for the name and address of any owner or lienholder, including The appropriate titling facility may include, but is not limited to:

(a) the Department of Motor Vehicles;  
(b) a vendor authorized by the DMV to provide real-time access to title and lienholder information;

(c) if the vehicle is not titled in South Carolina, the titling governmental entity in the state in which the vehicle was last titled as provided by a search of the National Motor Vehicle Title Information System (NMVTIS);

(d) if the vehicle is not titled in South Carolina, a vendor authorized by the state in which the vehicle was last titled to provide real-time access to the most current title and lienholder information; or



THURSDAY, MAY 12, 2022

(e) the Department of Natural Resources, ~~for the name and address of any owner or lienholder.~~

(2) For nontitled articles, where the owner's name is known, a search must be conducted through the Secretary of State's Office to determine any lienholders. The application must be on prescribed forms as required by the appropriate titling facility or the Secretary of State. If the article has an out-of-state registration, an application must be made to that state's appropriate titling facility. When the article is not titled in this State and does not have a registration from another state, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article may apply to the sheriff or chief of police in the jurisdiction where the article is stored to determine the state where the article is registered. The sheriff or chief of police shall conduct a records search. This search must include, but is not limited to, a search on the National Crime Information Center and any other appropriate search that may be conducted with the article's identification number. The sheriff or chief of police must supply, at no cost to the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs the name of the state in which the article is titled.

(D) The magistrate, before selling the article, shall ensure that the owner or any lienholder of record has been notified of the pending sale. The magistrate must advertise the article for at least fifteen days by posting a notice in three public places in his township. The magistrate must pay to the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article the money due, receiving a receipt in return. Any remainder of the sale proceeds must be held by the magistrate for the owner of the vehicle or entitled lienholder for ninety days. The magistrate must notify the owner and all lienholders by ~~certified or registered~~ or certified mail, return receipt requested, or certified mail with electronic tracking, that the article owner or lienholder has ninety days to claim the proceeds from the sale of the article. If the article proceeds are not collected within ninety days from the day after the notice to the owner and all lienholders is mailed, then the article proceeds must be deposited in the general fund of the county or municipality.

(E) A proprietor, an owner, or an operator of the towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article may hold the license tag of

THURSDAY, MAY 12, 2022

any vehicle until all towing and storage costs allowed under this section have been paid, or if the vehicle is not reclaimed, until it is declared abandoned and sold.”

SECTION 3. Section 56-5-5630(A), (B), and (C) of the 1976 Code is amended to read:

“(A)(1) For purposes of this article, ‘vehicle’ means a motor vehicle, trailer, mobile home, watercraft, or any other item or object that is subject to towing and storage, and applies to any vehicle in custody at the time of the enactment of this section. ‘Vehicle’ includes:

- (a) items that are towed and left in the possession of a towing, storage, garage, or repair facility;
- (b) contents contained in the vehicle; and
- (c) personal property affixed to the vehicle.

~~Storage costs for those vehicles in custody at the time of the enactment of this section must not exceed sixty days.~~

(2) When an abandoned vehicle has been taken into custody, the towing company and storage facility having towed and received the vehicle shall notify by registered or certified mail, return receipt requested, the last known registered owner of the vehicle and all lienholders of record that the vehicle has been taken into custody. Notification of the owner and all lienholders by ~~certified or registered or certified~~ certified mail, return receipt requested, or certified mail with electronic tracking constitutes notification for purposes of this section. This notification must satisfy the notification requirements contained in Section 29-15-10. The notice must:

- (a) give a description of the year, make, model, and identification number of the vehicle;
- (b) set forth the location where the vehicle is being held;
- (c) inform the owner and all lienholders of the right to reclaim the vehicle within thirty days beginning the day after the notice is mailed by registered or certified mail, return receipt requested, or certified mail with electronic tracking upon payment of all towing, preservation, the storage charges allowable pursuant to Section 29-15-10(B), notification, publication, and court costs resulting from placing the vehicle in custody; and
- (d) state that the failure of the owner and all lienholders to exercise their right to reclaim the vehicle within the time provided is considered a waiver by the owner and lienholders of all rights, title, and interest in the vehicle and is considered as their consent to the sale of the vehicle at a public auction.

THURSDAY, MAY 12, 2022

If a vehicle has been towed pursuant to the provisions of this section, the towing company and storage facility must accept as payment for the release of the vehicle the same manner of payment that they would accept if the owner of the vehicle had requested his vehicle towed.

(B) If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, notice by one publication in one newspaper of general circulation in the area where the vehicle was abandoned is sufficient to meet all requirements of notice pursuant to this article. The notice by publication may contain multiple listings of abandoned vehicles. This notice must be within the time requirements prescribed for notice by registered or certified mail, return receipt requested, or certified mail with electronic tracking, and must have the same contents required for a notice by registered or certified mail.

(C) A lienholder is not subject to a criminal penalty imposed by law in this State for abandonment unless the vehicle is abandoned by the lienholder or his agent or if a false statement or report to a law enforcement officer is made as provided by Section 16-17-722. The owner of a vehicle which has been stolen, whether or not the vehicle was subsequently abandoned, is liable for:

- (1) actual recovery and towing charges; and
- (2) only the storage costs that accrue beginning seven days after the vehicle was towed allowable pursuant to Section 29-15-10(B).

The law enforcement agency must, within two business days after the vehicle's towing, notify the owner that the vehicle has been recovered, provide the owner with the location of the vehicle, and explain that daily storage charges will may begin to accrue ~~if the vehicle is not reclaimed within seven days of the towing date.~~

A vehicle is considered to be stolen when the registered owner notifies a police officer and files a report which is accepted and placed on the records of the sheriff or chief of police as a stolen vehicle. The law enforcement agency that requested the tow must provide the towing company and storage facility, at no cost to the towing company and storage facility, the owner's name and address. A law enforcement agency is not liable for any costs or fees associated with the towing and storage of a vehicle as provided by this section."

SECTION 4. Section 56-5-5635 of the 1976 Code is amended to read:

## THURSDAY, MAY 12, 2022

“Section 56-5-5635. (A) Notwithstanding another provision of law, a law enforcement officer who directs that a vehicle be towed for any reason, whether on public or private property, must use the established towing procedure for his jurisdiction. A request by a law enforcement officer resulting from a law enforcement action including, but not limited to, a vehicle collision, vehicle breakdown, or vehicle recovery incident to an arrest, is considered a law enforcement towing for purposes of recovering costs associated with the towing and storage of the vehicle unless the request for towing is made by a law enforcement officer at the direct request of the owner or operator of the vehicle.

(B) Within ten days following a law enforcement’s towing request, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop must provide to the sheriff or chief of police a list describing the vehicles remaining in the possession of the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop. ~~A person who fails to provide the law enforcement agency with this list forfeits recovery of any storage fees that have accrued from the date of towing until the day after the mailing of the notification to the owner and all lienholders by certified or registered mail, return receipt requested, pursuant to Section 29-15-10.~~ Within ten days of receipt of this list, the sheriff or chief of police must provide to the towing company or storage facility, the current owner’s name, address, and a record of all lienholders along with the make, model, and identification number or a description of the vehicle at no cost to the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop having towed or received the vehicle must notify by registered or certified mail, return receipt requested, or certified mail with electronic tracking the last known registered owner and all lienholders of record that the vehicle has been taken into custody, pursuant to Section 29-15-10.

(C) If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must provide notice by one publication in one newspaper of general circulation in the area from which the vehicle was abandoned which is sufficient to meet all requirements of notice pursuant to this article. The notice by publication may contain multiple listings of abandoned vehicles.

THURSDAY, MAY 12, 2022

(D)(1) Before a vehicle is sold, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must apply to the appropriate titling facility for the name and address of any owner or lienholder, including The appropriate titling facility may include, but is not limited to:

(a) the Department of Motor Vehicles;

(b) a vendor authorized by the DMV to provide real-time access to title and lienholder information;

(c) if the vehicle is not titled in South Carolina, the titling governmental entity in the state in which the vehicle was last titled as provided by a search of the National Motor Vehicle Title Information System (NMVTIS);

(d) if the vehicle is not titled in South Carolina, a vendor authorized by the state in which the vehicle was last titled to provide real-time access to the most current title and lienholder information; or

(e) the Department of Natural Resources, ~~for the name and address of any owner or lienholder.~~

(2) For nontitled vehicles, where the owner's name is known, a search must be conducted through the Secretary of State's Office to determine any lienholders. The application must be on prescribed forms as required by the appropriate titling facility or the Secretary of State. If the vehicle has an out-of-state registration, an application must be made to that state's appropriate titling facility. When the vehicle is not titled in this State and does not have a registration from another state, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may apply to the sheriff or chief of police in the jurisdiction where the vehicle is stored to determine the state where the vehicle is registered. The sheriff or chief of police shall conduct a records search. This search must include, but is not limited to, a search on the National Crime Information Center and any other appropriate search that may be conducted with the vehicle's identification number. The sheriff or chief of police must supply, at no cost to the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop, the name of the state in which the vehicle is titled.

(E) The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop that has towed and stored a vehicle has a lien against the vehicle and may have the vehicle sold at public auction pursuant to Section 29-15-10. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may hold the license tag of any vehicle until all towing and the storage costs have been paid, or if the vehicle is not reclaimed, until it is declared

THURSDAY, MAY 12, 2022

~~abandoned and sold. Storage costs may be charged that have accrued before the notification of the owner and lienholder, by certified or registered mail, of the location of the vehicle. Notification to the owner and lienholder by the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must occur within five days, after receiving the owner's and lienholders' identities from the appropriate law enforcement agency. If the notice is not mailed within this period, storage costs after the five day period must not be charged until the notice is mailed. If the vehicle is not reclaimed within thirty days after the day the notice is mailed, return receipt requested, the vehicle is considered abandoned and may be sold by the magistrate pursuant to the procedures set forth in Section 29-15-10.~~

(F) After the vehicle is in the possession of the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop, the owner of the vehicle as demonstrated by providing a certificate of registration has one opportunity to remove from the vehicle any personal property not attached to the vehicle. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must release any personal property that does not belong to the owner of the vehicle to the owner of the personal property.

(G) When a law enforcement agency stores a vehicle at a law enforcement facility, the agency must follow the notification procedures contained in this section and submit vehicle information to a magistrate in the county where the vehicle is stored to provide for the sale of the vehicle at public auction. A law enforcement agency is exempt from paying filing fees in any matter related to the towing and storing of a vehicle.”

SECTION 5. Section 56-5-5640 of the 1976 Code is amended to read:

“Section 56-5-5640. If an abandoned vehicle has not been reclaimed pursuant to Section 56-5-5630, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may have the abandoned vehicle sold at a public auction pursuant to Section 29-15-10. The vehicle's purchaser shall take title to the vehicle free and clear of all liens and claims of ownership, shall receive a magistrate's order of sale, and is entitled to register the purchased vehicle and receive a certificate of title. The Office of Court Administration shall design a uniform magistrate's order of sale for purposes of this section, Section 56-5-5670, and Section 56-5-5945, and shall make the order available for distribution to the magistrates. The magistrate's order of sale given

THURSDAY, MAY 12, 2022

at the sale must be sufficient title for purposes of transferring the vehicle to a demolisher or secondary metals recycler for demolition, wrecking, or dismantling, and in such case no further titling of the vehicle is necessary. The expenses of the auction, the costs of towing, preserving, and storing the vehicle allowed under Section 29-15-10(B) which resulted from placing the vehicle in custody, and all notice and publication costs incurred pursuant to Section 29-15-10 must be reimbursed up to the amount of the auction sale price from the vehicle's sale proceeds. The remaining sale proceeds must be held for the vehicle's owner or entitled lienholder for ninety days. The magistrate shall notify the vehicle's owner and all lienholders by certified or registered mail, return receipt requested, that the vehicle's owner or lienholder has ninety days to claim the proceeds from the vehicle's sale. If the vehicle's proceeds are not collected within ninety days from the day after the notice to the vehicle's owner and all lienholders is mailed, then the vehicle's proceeds must be deposited in the county or municipality's general fund."

SECTION 6. This act takes effect upon approval by the Governor. /

/s/Sen. Wesley "Wes" Climer	/s/Rep. Chris Wooten
/s/Sen. Margie Bright Matthews	/s/Rep. Bart T. Blackwell
/s/Sen. Sean M. Bennett	/s/Rep. Joseph Jefferson, Jr.
On Part of the Senate.	On Part of the House.

Rep. BLACKWELL explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Blackwell	Bradley
Brawley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson

[HJ]

**THURSDAY, MAY 12, 2022**

Felder	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
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	W. Newton	Nutt
Oremus	Ott	Parks
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrinnakis
Taylor	Tedder	Thayer
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--106**

Those who voted in the negative are:

**Total--0**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**H. 4831--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

[HJ]



**THURSDAY, MAY 12, 2022**

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4831:

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

and asks for a Committee of Conference and has appointed Senators Davis, Reichenbach and Allen to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. WEST, BLACKWELL and OTT to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 202--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 202:

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO

**THURSDAY, MAY 12, 2022**

DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR  
GENERAL, TO DEFINE NECESSARY TERMS.

Very respectfully,  
President

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

Whereupon, the Chair appointed Reps. BERNSTEIN, CASKEY and  
COLLINS to the Committee of Conference on the part of the House and  
a message was ordered sent to the Senate accordingly.

**S. 1025--CONFERENCE REPORT ADOPTED**

**S. 1025 -- Conference Report**

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

Beg leave to report that they have duly and carefully considered the  
same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 44-63-80 of the 1976 Code is amended to  
read:

“Section 44-63-80. (A) Except as otherwise provided, certified  
copies of the original birth certificate or any new or amendatory  
certificate, exclusive of that portion containing confidential information,  
must be issued only by the state registrar and only to the registrant, if of  
legal age, his parent or guardian, or other legal representative, and upon  
request to the Department of Social Services or its designee for the  
purpose of establishing paternity or establishing, modifying, or  
enforcing a child support obligation. The registrar shall include a copy

[HJ]

THURSDAY, MAY 12, 2022

of the pamphlet 'South Carolina Family Respect', as provided in Section 20-1-720, when it mails or sends the certified copy of the birth certificate. However, the certified copy of the birth certificate may not disclose the name of the father in any illegitimate birth unless the name of the father is entered on the certificate pursuant to Section 44-63-163 or Section 44-63-165. ~~The short form certificate or birth card may be furnished only to the registrant, his parent or guardian, or other legal representative by the state or county registrar.~~

(B) For purposes of this section and obtaining a birth certificate, the term 'other legal representative' shall include:

(1) a person or agency that has current legal custody of a registrant by any currently-effective order of a court of competent jurisdiction, including a temporary order;

(2) the Department of Social Services for any individual or registrant in foster care or its legal custody;

(3) a caregiver, including a kinship caregiver, providing care to a child pursuant to any currently-effective order of a court of competent jurisdiction, including a temporary order;

(4) an attorney representing the registrant or, if the parent is listed on the registrant's birth certificate, the registrant's parent;

(5) subject to the Department's verification process, on behalf of a homeless child or youth served by them:

(a) a director or designee of a South Carolina governmental agency or a nonprofit organization registered with the South Carolina Secretary of State's Office that receives public or private funding to provide services to the homeless, and

(b) a South Carolina school district's McKinney-Vento liaison for homeless children or youth.

(C) The Department of Social Services may obtain a birth certificate by requesting the certificate in writing pursuant to the terms of a written agreement that shall be entered into between the Department of Health and Environmental Control and the Department of Social Services, and no copies of court orders or other third-party records shall be required when the Department of Social Services requests a birth certificate pursuant to the written agreement.

(D) When one hundred years have elapsed after the date of birth, these records must be made available in photographic or other suitable format for public viewing."

SECTION 2. This act takes effect upon approval by the Governor. /

THURSDAY, MAY 12, 2022

Amend title to read:

/TO AMEND SECTION 44-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, SO AS TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES. /

/s/Sen. Tom Davis	/s/Rep. Beth E. Bernstein
/s/Sen. Katrina Frye Shealy	/s/Rep. Wallace H. "Jay" Jordan Jr.
/s/Sen. Margie Bright Matthews On Part of the Senate.	/s/Rep. Brandon Michael Newton On Part of the House.

Rep. B. NEWTON explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

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

[HJ]

195

**THURSDAY, MAY 12, 2022**

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
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

**Total--109**

Those who voted in the negative are:

**Total--0**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 1025:

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.

The Report of the Committee of Conference having been adopted by both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

[HJ]

**THURSDAY, MAY 12, 2022**

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 12, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Hembree, Young and Hutto to the Committee of Conference on part of the Senate to S. 202:

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.

Very respectfully,  
President  
Received as information.

Rep. SIMRILL moved that when the House adjourns, it stand adjourned pursuant to the provisions of S. 1325, the Sine Die Resolution.

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

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 12, 2022, at 5:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R. 164, S. 11) -- Senators Jackson, Shealy, Hutto, Cash and Malloy: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO DEFINE TERMS AND TO PROVIDE THE CIRCUMSTANCES WHEN AN ELIGIBLE STATE EMPLOYEE MAY BE ENTITLED TO PAID PARENTAL LEAVE UPON THE BIRTH OF A CHILD OR INITIAL LEGAL PLACEMENT OF A FOSTER CHILD; AND TO AMEND SECTION 8-11-155, RELATING TO THE USE OF SICK LEAVE TO CARE FOR AN ADOPTED CHILD, SO AS TO DEFINE

[HJ]

**THURSDAY, MAY 12, 2022**

TERMS AND TO PROVIDE THE CIRCUMSTANCES WHEN AN ELIGIBLE STATE EMPLOYEE MAY BE ENTITLED TO PAID PARENTAL LEAVE UPON THE INITIAL LEGAL PLACEMENT OF A CHILD BY ADOPTION.

(R. 165, S. 108) -- Senators Campsen, Senn and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE OFFICE FOR THE SAME ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOT STANDARDS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTION 7-15-220, RELATING TO THE WITNESS REQUIREMENT FOR THE OATH OF AN ABSENTEE BALLOT APPLICANT, SO AS TO ADD THAT THE WITNESS MUST BE AT LEAST EIGHTEEN YEARS OF AGE AND ALSO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS ON THE OATH; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO AMEND THE LIST OF REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED FOR PERSONS WHO ARE GOING TO BE ABSENT FROM THE COUNTY FOR THE DURATION OF THE EARLY VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR ABSENTEE BALLOTS AND APPLICATION IN PERSON, SO AS TO DEFINE THE PARAMETERS BY WHICH A PERSON MAY REQUEST AN APPLICATION TO VOTE BY ABSENTEE BALLOT FOR HIMSELF OR OTHERS, TO PROVIDE FOR VERIFICATION OF THE INFORMATION REGARDING THE ELECTOR, TO PROVIDE THAT NO MORE THAN FIVE APPLICATIONS MAY BE REQUESTED IN ADDITION TO THE REQUESTOR HIMSELF, AND TO PROVIDE THE TIMEFRAME THAT THE APPLICATIONS MUST BE RETURNED BY; TO AMEND SECTION 7-15-380, RELATING TO THE OATH OF AN

**THURSDAY, MAY 12, 2022**

ABSENTEE BALLOT APPLICANT, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNER TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION AND TO PROVIDE IT IS UNLAWFUL FOR A PERSON TO RETURN MORE THAN FIVE ENVELOPES IN AN ELECTION IN ADDITION TO HIS OWN AND PROVIDE A PENALTY; TO AMEND SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SECOND DAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE CLOSED; TO AMEND SECTION 7-15-430, RELATING TO ABSENTEE VOTERS NOTED ON ELECTION LISTS AND VOTING BY PERSONS ISSUED ABSENTEE BALLOTS, SO AS TO PROVIDE PROCEDURES FOR THE CASTING OF PROVISIONAL BALLOTS BY PERSONS WHO HAVE NOT RETURNED THEIR ABSENTEE BALLOTS; TO AMEND SECTION 7-5-170, RELATING TO VOTER REGISTRATION WRITTEN APPLICATIONS, FORMS, AND OATHS, SO AS TO REQUIRE ACKNOWLEDGEMENT THAT THE PERSON REGISTERING TO VOTE IS NEITHER REGISTERED NOR INTENDS TO VOTE IN ANOTHER STATE OR COUNTY AND PROVIDE FOR A DATE STAMP ON APPLICATIONS; TO AMEND SECTIONS 7-13-320 AND 7-13-610, BOTH RELATING TO BALLOT STANDARDS AND SPECIFICATIONS, BOTH SO AS TO REQUIRE BALLOTS TO INCORPORATE FEATURES WHICH CAN BE USED TO AUTHENTICATE THE BALLOT AS OFFICIAL, EXCEPT FOR BALLOTS DELIVERED ELECTRONICALLY UNDER THE FEDERAL UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT; TO AMEND SECTION 7-13-1330, RELATING TO VOTE RECORDERS AND OPTICAL SCAN VOTING SYSTEMS, SO AS TO REQUIRE CERTAIN STEPS BEFORE A STATEWIDE VOTING SYSTEM IS PROCURED, TO PROVIDE REQUIREMENTS FOR AN OPTICAL SCAN VOTING SYSTEM, AND TO REQUIRE THE PRESERVATION OF ELECTRONIC

[HJ]



**THURSDAY, MAY 12, 2022**

RECORDS FOR A STATEWIDE ELECTION FOR NOT LESS THAN TWENTY-FOUR MONTHS FOLLOWING THE ELECTION; TO AMEND SECTION 7-13-1340, RELATING TO REQUIREMENTS FOR VOTE RECORDERS OR OPTICAL SCAN VOTING DEVICES, SO AS TO PROVIDE THESE DEVICES MAY NOT BE USED UNLESS A DELINEATED LIST OF INTERNET AND OTHER CONNECTIONS ARE DISABLED; TO AMEND SECTION 7-13-1620, RELATING TO THE VOTING SYSTEM APPROVAL PROCESS, SO AS TO PROVIDE THAT IF THE FEDERAL VOTING SYSTEM STANDARDS AND GUIDELINES HAVE BEEN AMENDED WITHIN A CERTAIN TIME PERIOD BEFORE AN ELECTION, THE STATE ELECTION COMMISSION MAY APPROVE AND CERTIFY A VOTING SYSTEM IF CERTAIN CRITERIA ARE MET; TO AMEND SECTION 7-13-1640, RELATING TO VOTING MACHINE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; TO REPEAL SECTION 7-13-440 RELATING TO VOTING MACHINE BALLOTS AND ARRANGEMENT OF NOMINATIONS; TO AMEND SECTION 7-3-40, RELATING TO REPORTS TO BE FURNISHED BY THE BUREAU OF VITAL STATISTICS TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO INCLUDE IN THE INFORMATION THAT MUST BE PROVIDED ALL INDIVIDUALS EIGHTEEN YEARS OF AGE OR OLDER WHO HAVE DIED OUT-OF-STATE; TO AMEND SECTION 7-5-186, RELATING TO THE STATEWIDE VOTER REGISTRATION DATABASE, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO CONDUCT AN ANNUAL GENERAL REGISTRATION LIST MAINTENANCE PROGRAM AND TO PROVIDE PROCEDURES FOR HANDLING DISCREPANCIES IN THE VOTER REGISTRATION DATABASE; TO AMEND SECTIONS 7-5-330 AND 7-5-340, BOTH RELATING TO REMOVAL OF ELECTORS, SO AS TO PROVIDE A TIMEFRAME TO REMOVE AN ELECTOR UNDER CERTAIN CIRCUMSTANCES WARRANTING SUCH; BY ADDING SECTION 7-25-30 SO AS TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION TO ESTABLISH A PUBLIC REPORTING MECHANISM FOR POSSIBLE ELECTION LAW VIOLATIONS; BY ADDING SECTION 7-5-350 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON ACTIONS TAKEN TO MAINTAIN THE ACCURACY OF THE STATEWIDE VOTER REGISTRATION DATABASE; BY ADDING SECTION

[HJ]

**THURSDAY, MAY 12, 2022**

7-1-110 SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS TO CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-20, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO ESTABLISH METHODS OF AUDITING ELECTION RESULTS; TO AMEND SECTIONS 7-25-20, 7-25-110, 7-25-120, 7-25-160, AND 7-25-170, ALL RELATING TO OFFENSES AGAINST ELECTION LAWS, ALL SO AS TO PROVIDE INCREASED PENALTIES; TO AMEND SECTION 7-3-10, RELATING TO THE COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO IDENTIFY CONDITIONS UNDER WHICH A PERSON IS DEEMED INELIGIBLE TO SERVE ON THE COMMISSION, TO ESTABLISH MECHANISMS FOR REMOVING INELIGIBLE COMMISSION MEMBERS, TO REQUIRE THE COMMISSION TO PROMULGATE REGULATIONS TO ESTABLISH STANDARDIZED ELECTION AND VOTER REGISTRATION PROCESSES, AND TO REQUIRE THE COMMISSION TO PROVIDE FOR THE SUPERVISION OF THE EXECUTIVE DIRECTOR TO ENSURE COMPLIANCE WITH APPLICABLE STATE AND FEDERAL ELECTION LAWS; TO AMEND SECTION 7-3-20, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO PROVIDE FOR THE EXECUTIVE DIRECTOR'S APPOINTMENT WITH ADVICE AND CONSENT OF THE SENATE, TO ESTABLISH THE TERM, QUALIFICATIONS, AND ELIGIBILITY REQUIREMENTS, METHODS OF REMOVAL AND GROUNDS FOR DISQUALIFICATION, AND TO PROVIDE FOR FILLING OF A VACANCY, AMONG OTHER THINGS; TO AMEND SECTION 7-3-25, RELATING TO COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS COMPLIANCE WITH ELECTION LAWS AND POLICY, SO AS TO REQUIRE STANDARDIZED PROCESSES WITH REGARD TO THE CONDUCT OF ELECTIONS; BY ADDING SECTION 7-5-50 SO AS TO PROHIBIT THE STATE ELECTION COMMISSION AND COUNTY BOARDS FROM ACCEPTING GIFTS OR FUNDING FROM PRIVATE INDIVIDUALS OR OTHERS; BY ADDING

[HJ]

**THURSDAY, MAY 12, 2022**

SECTION 7-5-190 SO AS TO DIRECT THE STATE ELECTION COMMISSION TO ENSURE VOTER REGISTRATION INFORMATION, THE VOTING SYSTEM, AND ELECTRONIC POLL BOOKS ARE PROTECTED BY SECURITY MEASURES THAT MEET CERTAIN BEST PRACTICES STANDARDS; TO AMEND SECTION 7-3-70, RELATING TO REPORTS FURNISHED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO FURNISH THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION A MONTHLY REPORT OF ALL NON-UNITED STATES CITIZENS ISSUED A DRIVER'S LICENSE OR IDENTIFICATION CARD; TO AMEND SECTION 7-13-35, AS AMENDED, RELATING TO NOTICE OF ELECTIONS, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 7-3-45 SO AS TO REQUIRE EACH COUNTY PROBATE COURT TO FURNISH THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION A MONTHLY REPORT OF ALL PERSONS EIGHTEEN YEARS OF AGE OR OLDER DECLARED MENTALLY INCAPACITATED; TO REQUIRE THE STATE ELECTION COMMISSION MUST ESTABLISH A TEMPORARY VOTER EDUCATION PROGRAM; TO AMEND SECTION 7-15-310, RELATING TO DEFINITIONS FOR PURPOSES OF ABSENTEE VOTING, SO AS TO REVISE THE DEFINITION OF "AUTHORIZED REPRESENTATIVE"; BY ADDING SECTION 7-15-400 SO AS TO PROVIDE THAT NO BALLOT APPLICATION OR ABSENTEE BALLOT MAY BE PROVIDED BY AN ELECTION OFFICIAL IF THE APPROPRIATE PROCEDURES ARE NOT FOLLOWED; BY ADDING SECTION 7-25-65 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO PROVIDE OR ACCEPT ANYTHING OF VALUE IN EXCHANGE FOR REQUESTING, COLLECTING, OR DELIVERING AN ABSENTEE BALLOT AND TO PROVIDE A PENALTY; TO AMEND SECTION 7-25-180, RELATING TO UNLAWFUL DISTRIBUTION OF CAMPAIGN LITERATURE, SO AS TO EXPAND THE PROHIBITION ON DISTRIBUTION OF CAMPAIGN LITERATURE OUTSIDE OF POLLING PLACES FROM TWO HUNDRED TO FIVE HUNDRED FEET; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.

(R. 166, S. 152) -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews,

[HJ]

**THURSDAY, MAY 12, 2022**

K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; BY ADDING ARTICLE 10 TO CHAPTER 10, TITLE 4, SO AS TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

(R. 167, S. 158) -- Senator Scott: AN ACT 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; TO AMEND SECTION 35-1-411, RELATING TO POSTREGISTRATION REQUIREMENTS, SO AS TO PROVIDE AN EXEMPTION TO CONTINUING EDUCATION FOR SUCH REGISTERED INDIVIDUALS WHO HAVE TWENTY-FIVE YEARS OR MORE OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER; AND TO AMEND SECTION 38-43-106, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO PROVIDE AN EXEMPTION TO CONTINUING EDUCATION FOR SUCH INSURANCE PRODUCERS WHO HAVE TWENTY-FIVE YEARS OR MORE OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

(R. 168, S. 222) -- Senators Shealy, McLeod, Hutto, Jackson, Matthews, Gustafson, K. Johnson and McElveen: AN ACT TO AMEND SECTION 63-7-2320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT RELATIVES

**THURSDAY, MAY 12, 2022**

AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE NECESSARY TERMS.

(R. 169, S. 227) -- Senators Shealy, McElveen and Matthews: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MESSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30 OF TITLE 40 OF THE 1976 CODE, RELATING TO MESSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MESSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MESSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MESSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MESSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MESSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MESSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MESSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MESSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MESSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MESSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MESSAGE THERAPIST WHO HOLDS AN ACTIVE MESSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MESSAGE THERAPY

**THURSDAY, MAY 12, 2022**

ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS

[HJ]

**THURSDAY, MAY 12, 2022**

ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

(R. 170, S. 449) -- Senator Young: AN ACT TO AMEND ACT 926 OF 1962, AS AMENDED, RELATING TO THE COMPOSITION OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL AND COMPREHENSIVE EDUCATION, SO AS TO ADD TWO NONVOTING MEMBERS; AND TO AMEND SECTION 31-12-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION AND MEMBERSHIP OF REDEVELOPMENT AUTHORITIES, SO AS TO INCLUDE THE SAVANNAH RIVER SITE REDEVELOPMENT AUTHORITY.

(R. 171, S. 460) -- Senator Alexander: AN ACT TO AMEND SECTION 23-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF THE OFFICE OF STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, SO AS TO DELETE CERTAIN OBSOLETE LANGUAGE, MAKE TECHNICAL CHANGES, AND PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY SHALL BE REFERRED TO AS STATE FIRE AND ESTABLISH ITS PROGRAM AREAS; TO AMEND SECTION 23-9-20, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, SO AS TO PROVIDE HE HAS STATEWIDE JURISDICTION AND PROVIDE ADDITIONAL RESPONSIBILITIES; TO AMEND SECTION 23-9-25, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, SO AS TO PROVIDE THE PEER-REVIEW PANEL SHALL HAVE AUTHORITY TO ESTABLISH FUNDING PRIORITIES COMMUNICATED THROUGH AN ANNUAL NOTICE OF FUNDING OPPORTUNITY, TO MAKE TECHNICAL CHANGES, TO ALLOW CERTAIN GRANT RECIPIENTS WHO HAVE GRANT FUNDS AVAILABLE AFTER COMPLETING THE APPROVED SCOPE OF WORK PRIOR TO THE END OF THE PERFORMANCE PERIOD TO CONTINUE OR EXPAND CERTAIN ACTIVITIES WITHOUT SUBMITTING AN APPLICATION TO AMEND THEIR GRANT REQUESTS OR SUBMIT APPLICATIONS TO AMEND GRANT REQUESTS, TO REDIRECT REMAINING FUNDS TO ANOTHER ELIGIBLE PROJECT, AND TO PROVIDE THREE PERCENT OF THE FUNDS

**THURSDAY, MAY 12, 2022**

COVERED BY THIS SECTION SHALL BE USED TO FUND COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS PROGRAM; TO AMEND SECTION 23-9-30, RELATING TO CERTAIN DUTIES THAT MAY BE DELEGATED TO THE CHIEFS OF ORGANIZED FIRE DEPARTMENTS, COUNTY FIRE MARSHALS, OR DEPUTY STATE FIRE MARSHALS BY THE STATE FIRE MARSHAL, SO AS TO PROVIDE CERTAIN DUTIES RELATING TO INVESTIGATIONS, INSPECTIONS AND ENFORCEMENT MAY BE DELEGATED TO CERTAIN PERSONS BY THE STATE FIRE MARSHAL AND PROVIDE THE STATE FIRE MARSHAL HAS AUTHORITY TO PROMULGATE CERTAIN REGULATIONS; TO AMEND SECTION 23-9-45, RELATING TO THE ISSUANCE OF CLASS D FIRE EQUIPMENT PERMITS, SO AS TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND PERMITS, PROVIDE APPLICANTS OF THESE LICENSES AND PERMITS MUST MEET CERTAIN REQUIREMENTS SET FORTH IN REGULATION, AND ARE ABLE TO MEET THE MAINTENANCE AND PERFORMANCE STANDARDS AND CODES ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL, TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT ALLOWS THE STATE FIRE MARSHAL TO ESTABLISH LICENSE AND PERMIT FEES; TO AMEND SECTION 23-9-50, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, SO AS TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER BUILDINGS AND PREMISES TO INCLUDE WHEN AN EXPLOSION HAS OCCURRED, OR UNDER CERTAIN CIRCUMSTANCES WHEN A FATALITY OR SERIOUS INJURY HAS OCCURRED; BY ADDING SECTION 23-9-125 SO AS TO PROVIDE THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC OR THE REGULATION OF FIREWORKS ARE NOT AFFECTED BY THESE PROVISIONS; TO AMEND CHAPTER 10, TITLE 26, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF EQUIPMENT; TO AMEND SECTION 40-80-30, RELATING TO FIREFIGHTERS REGISTERING WITH THE STATE

[HJ]



**THURSDAY, MAY 12, 2022**

FIRE MARSHAL, SO AS TO REVISE THE COSTS AND PROCESS OF OBTAINING FIREFIGHTER RECORDS; TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 ALL RELATING TO CERTAIN DUTIES OF THE STATE FIRE MARSHAL; AND TO AMEND SECTION 23-9-25, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, SO AS TO PROVIDE IT IS NOW WITHIN THE DIVISION OF THE STATE FIRE MARSHAL, REMOVE THE LIMITATION PLACED ON THE MAXIMUM DOLLAR AMOUNT OF GRANTS IT MAY OFFER, TO DELETE THE TERM "CHARTERED" AS IT IS USED TO IDENTIFY VARIOUS FIRE DEPARTMENTS, TO PROVIDE FIRE DEPARTMENTS MAY BE AWARDED ONE GRANT ANNUALLY, TO REVISE THE PURPOSES FOR WHICH FIRE DEPARTMENTS MAY USE GRANT MONEY, TO PROVIDE THE PEER-REVIEW PANEL SHALL OVERSEE THE ISSUANCE AND COMPLIANCE WITH THE PRESCRIBED INTENT OF THE GRANTS, TO DELETE THE PROVISIONS THAT RELATE TO JUSTIFICATIONS THAT MUST BE INCLUDED IN GRANT APPLICATIONS AND CRITERIA TO EVALUATE GRANT APPLICATIONS, TO PROVIDE INSTANCES THAT WOULD MAKE FIRE DEPARTMENTS INELIGIBLE TO BE AWARDED FUTURE GRANTS, TO PROVIDE RECIPIENTS MAY USE A CERTAIN AWARD AMOUNT TO CONTINUE OR EXPAND ACTIVITIES WITHOUT SUBMITTING APPLICATIONS TO AMEND GRANT REQUESTS, TO PROVIDE AWARD RECIPIENTS CAN SUBMIT APPLICATIONS TO HAVE GRANT FUNDS REDIRECTED TO ANOTHER ELIGIBLE PROJECT, TO PROVIDE THE STATE FIRE MARSHAL ADDITIONAL DUTIES, TO PROVIDE HE MAY RETAIN CERTAIN FUNDS TO DEFRAY CERTAIN ADMINISTRATIVE COSTS, AND PROVIDE GRANT FUNDS MAY BE CARRIED FORWARD TO THE NEXT FISCAL YEAR AND USED FOR THE SAME PURPOSE.

(R. 172, S. 613) -- Senator Davis: AN ACT TO AMEND SECTION 40-33-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE NURSE PRACTICE ACT, SO AS TO ADD AND REVISE DEFINITIONS; TO AMEND SECTION 40-33-42, RELATING TO THE DELEGATION BY CERTAIN BOARD OF NURSING LICENSEES OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL, SO AS TO

**THURSDAY, MAY 12, 2022**

INCLUDE PROVISIONS REGARDING THE ADMINISTRATION OF MEDICATIONS BY CERTIFIED MEDICAL ASSISTANTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO ADD DEFINITIONS; BY ADDING SECTION 40-47-196 SO AS TO PROVIDE FOR THE DELEGATION OF CERTAIN TASKS TO CERTIFIED MEDICAL ASSISTANTS BY PHYSICIANS AND PHYSICIAN ASSISTANTS; TO AMEND SECTION 40-47-30, AS AMENDED, RELATING TO EXCEPTIONS FROM THE REQUIREMENT OF LICENSURE TO PRACTICE MEDICINE, SO AS TO REMOVE PROVISIONS CONCERNING THE DELEGATION BY PHYSICIANS OF CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIANS ASSISTANTS MAY PERFORM, SO AS TO REMOVE PROVISIONS CONCERNING THE DELEGATION BY PHYSICIANS ASSISTANTS OF CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL.

(R. 173, S. 635) -- Senators Setzler and Scott: AN ACT 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 AN ADDITIONAL MEMBER WHO IS NOT REQUIRED TO BE A TRUSTEE AT THE TIME OF HIS 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

**THURSDAY, MAY 12, 2022**

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.

(R. 174, S. 637) -- Senator Cromer: AN ACT 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 CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN “EXEMPT PERSON”.

(R. 175, S. 812) -- Senator Alexander: AN ACT TO AMEND CHAPTER 2, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGULATION OF ACCOUNTANTS, SO AS TO REVISE PROVISIONS REGULATING CERTIFIED PUBLIC ACCOUNTANTS, PUBLIC ACCOUNTANTS, AND ACCOUNTING PRACTITIONERS.

(R. 176, S. 888) -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-11-40 SO AS TO PROVIDE APPLICANTS FOR CONTRACTORS LICENSES VOLUNTARILY MAY MAKE CONTRIBUTIONS TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING DEGREES IN CONSTRUCTION SCIENCE, BUILDING SCIENCE, OR CIVIL ENGINEERING, TO PROVIDE FOR THE MANAGEMENT AND DISTRIBUTION OF THESE CONTRIBUTIONS, AND TO IMPOSE CERTAIN RELATED REPORTING REQUIREMENTS ON INSTITUTIONS RECEIVING FUNDS FROM THESE CONTRIBUTIONS AND THE STATE COMMISSION ON HIGHER EDUCATION.

**THURSDAY, MAY 12, 2022**

(R. 177, S. 910) -- Senator Grooms: AN ACT TO AMEND ACT 518 OF 1982, AS AMENDED, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, SO AS TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NONPARTISAN ELECTIONS FROM SINGLE-MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT LARGE; TO STAGGER THE MEMBERS' TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982 RELATING TO THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION SINGLE-MEMBER ELECTION DISTRICTS.

(R. 178, S. 934) -- Senator Davis: AN ACT 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 EACH MEMBER OF THE COUNCIL MUST BE A SOUTH CAROLINA RESIDENT, AND 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.

(R. 179, S. 946) -- Senator Goldfinch: AN ACT 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 AT LEAST THIRTY MINUTES OF UNENCUMBERED TIME ON EACH REGULAR SCHOOL DAY FOR ALL FULL-TIME PUBLIC ELEMENTARY SCHOOL TEACHERS AND FOR TEACHERS RESPONSIBLE FOR INSTRUCTING SPECIAL EDUCATION CLASSES FOR MORE THAN TWENTY PERCENT OF THE SCHOOL DAY WITH STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, TO PROVIDE DETAILS FOR RELATED POLICIES, TO PROVIDE IMPLEMENTATION REQUIREMENTS OF LOCAL SCHOOL BOARDS, AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

**THURSDAY, MAY 12, 2022**

(R. 180, S. 953) -- Senator Verdin: AN ACT 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.

(R. 181, S. 969) -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 SO AS TO PROVIDE EVERY PUBLIC SCHOOL SHALL DISPLAY DEPICTIONS OF THE RESPECTIVE FLAGS AND MOTTOS OF THE UNITED STATES AND SOUTH CAROLINA BEFORE JANUARY 1, 2023, TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND PUBLIC SCHOOLS, AND TO MAKE THESE PROVISIONS APPLICABLE TO PRIVATE SCHOOLS THAT RECEIVE ANY PUBLIC FUNDING; BY ADDING SECTION 59-1-465 SO AS TO PROVIDE PUBLIC SCHOOL PRINCIPALS SHALL ALLOW YOUTH PATRIOTIC SOCIETY REPRESENTATIVES TO ADDRESS STUDENTS ON CERTAIN TOPICS DURING PATRIOT DAY, CONSTITUTION DAY, OR PATRIOTISM WEEK EVENTS, TO PROVIDE RELATED IMPLEMENTATION PROVISIONS, AND TO DEFINE RELATED TERMS; AND TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK OBSERVATIONS, SO AS TO MAKE SUCH OBSERVATIONS MANDATORY IN PUBLIC SCHOOL DISTRICTS AND TO INCLUDE MANDATORY OBSERVATIONS FOR PATRIOT DAY AND CONSTITUTION DAY, AMONG OTHER THINGS.

(R. 182, S. 980) -- Senators Goldfinch and Campsen: AN ACT TO AMEND SECTION 50-5-2730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN THIS STATE, SO AS TO DESIGNATE CATCH LIMITS AND MINIMUM SIZES FOR RED SNAPPER.

**THURSDAY, MAY 12, 2022**

(R. 183, S. 1059) -- Senator Verdin: AN ACT TO AMEND SECTION 40-33-43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY AND NURSING HOMES, AND TO PROVIDE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES SHALL CREATE A RELATED MEDICAL TECHNICIAN CERTIFICATION PROGRAM AND MEDICATION TECHNICIAN REGISTRY.

(R. 184, S. 1060) -- Senators Young and Massey: AN ACT TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

(R. 185, S. 1103) -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander, Gambrell, Setzler and Malloy: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-3-35 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN FINGERPRINT AND DNA IDENTIFICATION KITS TO ALL PUBLIC SCHOOL DISTRICTS AND OPEN-ENROLLMENT CHARTER SCHOOLS, TO PROVIDE FOR THE DISTRIBUTION OF THE KITS AT THE REQUEST OF THE PARENT OR LEGAL CUSTODIAN OF ANY STUDENT OF SUCH SCHOOLS IN KINDERGARTEN THROUGH HIGH SCHOOL, TO PROVIDE FOR THE USE OF SUCH KITS BY PARENTS TO ASSIST LAW ENFORCEMENT IN LOCATING AND RETURNING MISSING OR TRAFFICKED CHILDREN, AND TO PROVIDE THE DEPARTMENT SHALL NOT EXPEND FUNDS TO PROCURE THE KITS UNLESS EXPRESSLY APPROPRIATED BY THE GENERAL ASSEMBLY.

**THURSDAY, MAY 12, 2022**

(R. 186, S. 1117) -- Senator Climer: AN ACT TO AMEND ARTICLE 2 OF CHAPTER 41, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, SO AS TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO DEFINE THE TERMS "AGRICULTURAL COMMODITY" AND "AGRICULTURAL COMMODITY DEALER", TO REVISE THE DEFINITION OF THE TERM "FAIR MARKET VALUE" TO INCLUDE VALUE BASED ON THE AVERAGE MARKET PRICE PAID TO PRODUCERS LICENSED BY THREE LICENSED COTTON DEALERS UNDER CERTAIN CIRCUMSTANCES, TO DELETE THE TERM "GRAIN DEALER" AND ITS DEFINITION, TO REVISE THE DEFINITION OF THE TERM "PRODUCER" TO INCLUDE PRODUCERS OF COTTON, TO SUBSTITUTE THE TERM "COMMODITY" FOR THE TERM "GRAIN" IN THE DEFINITION OF THE TERM "DATE OF LOSS", TO PROVIDE AN ASSESSMENT AMOUNT FOR A BALE OF COTTON, TO REVISE THE PROVISION RELATING TO WHOM DELIVERY MUST BE MADE FOR THE IMPOSITION OF ASSESSMENTS, TO REVISE THE PLACES WHERE THE ASSESSMENTS SHALL BE COLLECTED, TO REVISE WHERE ASSESSMENTS MUST BE REPORTED AND REMITTED TO THE DEPARTMENT OF AGRICULTURE, TO SUBSTITUTE THE TERM "AGRICULTURAL COMMODITY" FOR THE TERM "GRAIN", TO REVISE THE PERSONS FOR WHOM THE FUND IS ESTABLISHED TO BENEFIT, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO REVISE THE PROCEDURE TO FILE AND SATISFY CLAIMS FOR LOSSES INCURRED FOR CERTAIN COMMODITIES, TO REVISE THE DATES WHEN ASSESSMENTS MUST BE REMITTED TO AND CERTAIN REPORTS FILED WITH THE DEPARTMENT, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION ADVISORY COMMISSION TO MAKE RECOMMENDATIONS TO THE DEPARTMENT REGARDING THE DUTIES OF THE DEPARTMENT IN ADMINISTERING THE GRAIN AND COTTON PRODUCERS GUARANTY FUND, AND TO PROVIDE FOR ITS MEMBERSHIP, POWERS, AND DUTIES; TO AMEND SECTION 46-41-60, RELATING TO SURETY BONDS OR EQUIVALENT SECURITY REQUIRED OF APPLICANTS FOR DEALER IN AGRICULTURAL PRODUCTS LICENSES, SO AS TO PROVIDE FOR SURETY

[HJ]

**THURSDAY, MAY 12, 2022**

BONDS OR THEIR EQUIVALENTS BASED ON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170, RELATING TO PENALTIES, SO AS TO MAKE CONFORMING CHANGES, TO PROVIDE THE INSURANCE RESERVE FUND OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS AUTHORIZED TO LEND CERTAIN AMOUNTS OF MONEY TO THE DEPARTMENT FOR THE USE OF THE GRAIN AND COTTON PRODUCERS GUARANTY FUND FOR CERTAIN PURPOSES, TO PROVIDE FOR THE REPAYMENT OF THE LOAN, AND TO PROVIDE FOR THE USE OF FUNDS NOT DERIVED FROM ASSESSMENTS TO REIMBURSE CLAIMS OR LOSSES.

(R. 187, S. 1178) -- Senator Climer: AN ACT TO AMEND SECTION 39-20-45, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF A LIEN ON A SELF-SERVICE STORAGE FACILITY, SO AS TO AUTHORIZE THE CONTENTS OF THE STORAGE FACILITY TO BE SOLD ONLINE BY AN AUCTIONEER.

(R. 188, S. 1179) -- Senator Shealy: AN ACT TO AMEND SECTION 40-63-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LICENSURE OF SOCIAL WORKERS, SO AS TO CLARIFY THAT SOCIAL WORKERS LICENSED IN THIS STATE MAY PROVIDE SERVICES WITHIN THEIR SCOPE OF PRACTICE THROUGH TELEPHONIC, ELECTRONIC, OR OTHER MEANS; BY ADDING SECTION 40-63-35 SO AS TO AUTHORIZE INDEPENDENT CLINICAL PRACTICE SOCIAL WORKERS LICENSED IN OTHER STATES OR JURISDICTIONS TO PROVIDE INDEPENDENT SOCIAL WORK SERVICES BY MEANS OF BEHAVIORAL TELEHEALTH TO CLIENTS LOCATED IN THIS STATE IF REGISTERED IN THIS STATE AND PROVIDING SERVICES WITHIN THEIR SCOPE OF PRACTICE, AND TO PROVIDE RELATED DEFINITIONS AND REQUIREMENTS; AND BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 40 SO AS TO AUTHORIZE PROFESSIONAL COUNSELORS, ADDICTION COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS SERVICES IN OTHER STATES OR JURISDICTIONS TO PROVIDE THEIR PROFESSIONAL SERVICES BY MEANS OF BEHAVIORAL TELEHEALTH TO CLIENTS LOCATED IN THIS STATE IF



**THURSDAY, MAY 12, 2022**

REGISTERED IN THIS STATE AND PROVIDING SERVICES WITHIN THEIR APPLICABLE SCOPE OF PRACTICE, AND TO PROVIDE RELATED DEFINITIONS AND REQUIREMENTS.

(R. 189, S. 1180) -- Senator Fanning: AN ACT TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.

(R. 190, S. 1263) -- Senators Gambrell and Garrett: AN ACT TO AMEND ACT 293 OF 2012, RELATING TO THE ELECTION DISTRICTS FOR THE ABBEVILLE COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL TRUSTEE ELECTIONS, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO UPDATE ARCHAIC LANGUAGE.

(R. 191, S. 1264) -- Senator Hutto: AN ACT 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 SCHOOL DISTRICT BOARD OF TRUSTEES

**THURSDAY, MAY 12, 2022**

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.

(R. 192, S. 1270) -- Senators Peeler, Fanning, Climer and M. Johnson: AN ACT 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.

(R. 193, S. 1271) -- Senator Peeler: AN ACT TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

(R. 194, S. 1292) -- Senator Fanning: AN ACT 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.

(R. 195, S. 1314) -- Transportation 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.

**THURSDAY, MAY 12, 2022**

(R. 196, H. 3006) -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS, PUBLIC SCHOOL DISTRICTS, CHARTER SCHOOLS, AND CHARTER SCHOOL GOVERNING BODIES MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS, PUBLIC SCHOOL DISTRICTS, CHARTER SCHOOLS, AND CHARTER SCHOOL GOVERNING BODIES MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE NECESSARY DEFINITIONS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

(R. 198, H. 3247) -- Reps. G.M. Smith, B. Cox, V.S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO ALLOW FOR THE DEDUCTION OF ALL MILITARY RETIREMENT INCOME.

(R. 199, H. 3271) -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: AN ACT TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.

THURSDAY, MAY 12, 2022

(R. 200, H. 3325**Error! Bookmark not defined.**) -- Reps. King, Murray, Rivers, M.M. Smith and Parks: AN ACT TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY; AND FOR OTHER PURPOSES.

(R. 201, H. 3340**Error! Bookmark not defined.**) -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: AN ACT TO AMEND SECTION 12-20-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS.

(R. 202, H. 3591) -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE

**THURSDAY, MAY 12, 2022**

THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

(R. 203, H. 3599) -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; TO AMEND SECTION 40-36-230, RELATING TO APPLICANTS FOR LICENSURE AS OCCUPATIONAL THERAPISTS OR OCCUPATIONAL THERAPIST ASSISTANTS, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS FOR APPLICATIONS MADE PURSUANT TO THE COMPACT; TO AMEND SECTION 40-36-250, RELATING TO APPLICANTS FOR LICENSURE WITHOUT EXAMINATION AS OCCUPATIONAL THERAPISTS OR OCCUPATIONAL THERAPIST ASSISTANTS, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS FOR APPLICATIONS MADE PURSUANT TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

(R. 204, H. 3606) -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

(R. 205, H. 3775) -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose,

[HJ]

**THURSDAY, MAY 12, 2022**

Stavrinakis and Hill: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE PATIENTS COVERED FOR STAGE FOUR ADVANCED METASTATIC CANCER TREATMENTS UNDER HEALTH BENEFIT PLANS ARE ENTITLED TO CERTAIN EXPEDITED EXTERNAL REVIEWS OF PLAN DENIALS OF CERTAIN DIAGNOSTIC IMAGING SERVICE CLAIMS OR PRIOR AUTHORIZATION REQUESTS BASED UPON ADVERSE MEDICAL NECESSITY DETERMINATIONS, AND TO DEFINE NECESSARY TERMS; AND TO PROVIDE FOR THE APPLICABILITY OF THE PROVISIONS OF THIS ACT TO HEALTH BENEFIT PLANS ISSUED, RENEWED, DELIVERED, OR ENTERED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

(R. 206, H. 3795) -- Rep. Allison: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SIGN LANGUAGE INTERPRETERS ACT” BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE MINIMUM COMPETENCY REQUIREMENTS FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN GOVERNMENTAL AGENCIES AND HOSPITALS AND HEALTH CARE FACILITIES, TO PROVIDE EXCEPTIONS, TO PROVIDE NECESSARY DEFINITIONS, AND TO PROVIDE MORE RIGOROUS STANDARDS APPLY WHEN THEY CONFLICT WITH THE PROVISIONS OF THIS ACT; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC SCHOOLS AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT TO THE SAME BACKGROUND CHECKS AS EDUCATORS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2024.

(R. 207, H. 3833) -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)” BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS,

**THURSDAY, MAY 12, 2022**

POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

(R. 208, H. 3840) -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Wooten, Caskey, B. Cox, Blackwell, Dabney, King, Jefferson, Brawley, Howard, S. Williams, G.R. Smith, Huggins, Murray and Rivers: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 67, TITLE 40 SO AS TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO STATE THE PURPOSE OF THE ACT, TO PROVIDE DEFINITIONS, TO OUTLINE STATE PARTICIPATION, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION", TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, RULES, WITHDRAWAL, AND AMENDMENT, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND BINDING EFFECT OF THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

(R. 209, H. 3948) -- Reps. Stavrinakis, Murphy and Dillard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976,

[HJ]

**THURSDAY, MAY 12, 2022**

BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE A CAPITAL PROJECTS SALES AND USE TAX; TO AMEND SECTION 4-37-40, RELATING TO THE LIMITATION ON THE SALES TAX RATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 4-10-310, RELATING TO THE IMPOSITION OF THE CAPITAL PROJECT SALES TAX, SO AS TO MAKE A CONFORMING CHANGE; AND BY ADDING SECTION 4-10-315 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED ANOTHER SALES AND USE TAX ALSO MAY IMPOSE A TAX PURSUANT TO CHAPTER 37, TITLE 4.

(R. 210, H. 4048) -- Rep. G.M. Smith: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

(R. 211, H. 4161) -- Rep. Bannister: AN ACT TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS BY A GAMING DEVICE MANUFACTURER; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO



**THURSDAY, MAY 12, 2022**

PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS BY A GAMING DEVICE MANUFACTURER.

(R. 212, H. 4220) -- Reps. Sandifer and Hardee: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

(R. 213, H. 4408) -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

(R. 214, H. 4519) -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE PERSONS REGISTERED WITH THE STATE BOARD OF BARBER EXAMINERS AS BARBERS OR MASTER HAIR CARE SPECIALISTS MAY PRACTICE WITHIN THE SCOPE OF THEIR LICENSE IN SALONS REGISTERED WITH THE STATE BOARD OF COSMETOLOGY.

(R. 215, H. 4597) -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; AND FOR OTHER PURPOSES.

**THURSDAY, MAY 12, 2022**

(R. 216, H. 4600) -- Reps. West and Bennett: AN ACT TO AMEND SECTIONS 44-22-40 AND 44-22-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY CONSENT ON BEHALF OF CERTAIN PATIENTS TO ELECTRO-CONVULSIVE THERAPY OR MAJOR MEDICAL TREATMENT, SO AS TO CONFORM THE ORDER OF PRIORITY OF SUCH PERSONS TO THE ORDER OF PRIORITY IN THE ADULT HEALTH CARE CONSENT ACT.

(R. 217, H. 4601) -- Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

(R. 218, H. 4608) -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS, TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS, TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SCHOOL SPORTS TEAMS, TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES SHALL NOT BE OPEN TO STUDENTS OF THE FEMALE SEX UNLESS NO TEAM DESIGNATED FOR FEMALES IN THAT SPORT IS OFFERED AT THE SCHOOL IN WHICH THE STUDENT IS ENROLLED, TO PROVIDE SUCH SPORTS TEAMS DESIGNATED

**THURSDAY, MAY 12, 2022**

FOR FEMALES SHALL NOT BE OPEN TO STUDENTS OF THE MALE SEX, TO PROVIDE PRIVATE SCHOOLS OR PRIVATE INSTITUTIONS SPONSORING A SPORTS TEAM IN WHICH ITS STUDENTS OR TEAMS COMPETE AGAINST A PUBLIC SCHOOL OR INSTITUTION ALSO SHALL COMPLY WITH THESE PROVISIONS FOR THE APPLICABLE TEAM OR SPORT, AND TO PROVIDE REMEDIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT; AND BY ADDING SECTION 59-63-72 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS SUPPORTED BY STATE FUNDS SHALL NOT USE ANY FUNDS OR PERMIT ANY SCHOOL WITHIN THE DISTRICT TO USE ANY FUNDS TO JOIN, AFFILIATE WITH, PAY DUES OR FEES TO, OR IN ANY WAY FINANCIALLY SUPPORT ANY INTERSCHOLASTIC ATHLETIC ASSOCIATION, BODY, OR ENTITY UNLESS THE CONSTITUTION, RULES OR POLICIES OF THE ASSOCIATION, BODY, OR ENTITY RECOGNIZES, SANCTIONS, AND REGULATES INTERSCHOLASTIC COMPETITION OF WRESTLING TEAMS COMPOSED EXCLUSIVELY OF FEMALE STUDENTS.

(R. 219, H. 4766) -- Reps. Allison, Lucas, Felder and Alexander: AN ACT TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO CHANGE MEMBERSHIP AND DUTIES; AND TO REPEAL SECTION 59-59-175 RELATING TO THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL.

(R. 220, H. 4832) -- Reps. Sandifer and Anderson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE

**THURSDAY, MAY 12, 2022**

APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

(R. 221, H. 4837) -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: AN ACT TO AMEND SECTION 40-37-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE PRACTICE OF OPTOMETRY,

[HJ]

**THURSDAY, MAY 12, 2022**

SO AS TO PROVIDE A NECESSARY DEFINITION; AND TO AMEND SECTION 40-37-320, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

(R. 222, H. 4889) -- Rep. Bannister: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

(R. 223, H. 4983) -- Rep. Sandifer: AN ACT TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE

**THURSDAY, MAY 12, 2022**

MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.

(R. 224, H. 4986) -- Rep. Ott: AN ACT TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP; AND TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON OF FURBEARING ANIMALS, SO AS TO ALLOW FOR TRAPPING FURBEARING ANIMALS ON PRIVATE LAND FOR NONCOMMERCIAL PURPOSES AND TO ALLOW FOR THE YEAR ROUND TRAPPING OF BEAVERS ON PRIVATE LAND FOR NONCOMMERCIAL PURPOSES.

(R. 225, H. 4999) -- Rep. Hiott: AN ACT TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

(R. 226, H. 5000) -- Reps. Matthews, Caskey, Wooten and May: AN ACT TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY; AND FOR OTHER PURPOSES.

**THURSDAY, MAY 12, 2022**

(R. 227, H. 5057) -- Reps. Simrill, Pope, Erickson and W. Newton: AN ACT TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES; AND TO PROVIDE THAT FOR TAX YEAR 2021, SOUTH CAROLINA ADOPTS CERTAIN FEDERAL EXCLUSIONS FROM GROSS INCOME.

(R. 228, H. 5075) -- Reps. G.M. Smith and West: AN ACT TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO PROVIDE A ONE-TIME AUTHORIZATION OF SOUTH CAROLINA HOUSING TAX CREDITS FOR CERTAIN PROJECTS APPROVED BEFORE 2022; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

(R. 229, H. 5144) -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: AN ACT TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

(R. 230, H. 5151) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL

**THURSDAY, MAY 12, 2022**

RESERVE FUND FOR FISCAL YEAR 2021-2022, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

(R. 231, H. 5288) -- Reps. Weeks and G.M. Smith: AN ACT 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.

(R. 232, H. 5338) -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE 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.

(R. 233, H. 5339) -- Reps. Lowe, R. Williams, Jordan, Kirby and Alexander: AN ACT 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



**THURSDAY, MAY 12, 2022**

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 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.

(R. 234, H. 3144) -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SCWINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4750 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME STACKHOUSE ROAD BETWEEN HAYMOUNT ROAD AND BURKE ROAD IN DILLON COUNTY "HUBERT GRICE MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

[HJ]

**THURSDAY, MAY 12, 2022**

H. 4572 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION RECOGNIZE THE HONORABLE DOLPHUS "D.C." CARTER, JR., RETIRED EDUCATOR AND MUNICIPAL JUDGE, FOR A LIFETIME OF OUTSTANDING AND MEANINGFUL ACHIEVEMENTS, AND VALUABLE SERVICE AND COMMITMENT TO THE PEOPLE OF DILLON COUNTY, BY NAMING THE PORTION OF EAST DARGAN STREET IN THE CITY OF DILLON, FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 57 "JUDGE DOLPHUS 'D.C.' CARTER, JR. WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

H. 5211 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE SALUDA RIVER ALONG HOLLYWOOD SCHOOL ROAD IN SALUDA COUNTY "HARMON BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

H. 5082 -- Rep. Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE AT THE INTERSECTION OF UNITED STATES HIGHWAY 1 AND YOUNG'S BRIDGE ROAD IN KERSHAW COUNTY "JUDGE THOMAS E. 'TED' DAVIS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

H. 5285 -- Reps. Dabney, J. L. Johnson and Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 1056 EHRENCLOU DRIVE IN THE CITY OF CAMDEN IN KERSHAW COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT SERGEANT MAJOR AND MRS. THOMAS PATRICK PAYNE.

H. 4617 -- Reps. Jones, Willis, Gilliam and McCravy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME LAKE STREET (S-30-145) IN

**THURSDAY, MAY 12, 2022**

LAURENS COUNTY "BILL RAMEY WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

**ADJOURNMENT**

At 5:00 p.m. the House, in accordance with the motion of Rep. CALHOON, adjourned in memory of Thomas "Tommy" Cecil Harman, and in accordance with S. 1325, the *Sine Die* Adjournment Resolution, to meet at 12:00 noon in Statewide Session on Wednesday, June 15.

\*\*\*

THURSDAY, MAY 12, 2022

H. 3006 .....	218	H. 4983 .....	229
H. 3037 .....	83	H. 4986 .....	230
H. 3050 .....	13, 14, 16, 17	H. 4999 .....	231
H. 3050 .....	19, 20	H. 5000 .....	231
H. 3055 .....	20, 21, 58, 69	H. 5057 .....	231
H. 3055 .....	70, 133	H. 5069 .....	148
H. 3144 .....	234	H. 5075 .....	231
H. 3166 .....	72, 74	H. 5082 .....	235
H. 3247 .....	219	H. 5144 .....	130, 232
H. 3271 .....	219	H. 5150 .....	124
H. 3291 .....	155	H. 5151 .....	232
H. 3325 .....	85, 219	H. 5182 .....	70, 131
H. 3340 .....	78, 219	H. 5211 .....	235
H. 3346 .....	125	H. 5285 .....	235
H. 3591 .....	220	H. 5288 .....	150, 232
H. 3599 .....	220	H. 5308 .....	112
H. 3606 .....	221	H. 5332 .....	113
H. 3729 .....	181	H. 5338 .....	233
H. 3775 .....	76, 221	H. 5339 .....	233
H. 3795 .....	222	H. 5344 .....	112
H. 3833 .....	222	H. 5348 .....	113
H. 3840 .....	223	H. 5373 .....	113
H. 3948 .....	223	H. 5392 .....	139
H. 4048 .....	74, 76, 224	H. 5393 .....	140
H. 4062 .....	152	H. 5394 .....	140
H. 4075 .....	9, 118	H. 5395 .....	141
H. 4161 .....	224	H. 5396 .....	141
H. 4220 .....	81, 225	H. 5397 .....	142
H. 4408 .....	225	H. 5398 .....	143
H. 4519 .....	225	H. 5399 .....	144
H. 4572 .....	234	H. 5400 .....	144
H. 4597 .....	225	H. 5401 .....	144
H. 4600 .....	226	H. 5402 .....	143
H. 4601 .....	226		
H. 4608 .....	226	S. 17 .....	137
H. 4617 .....	235	S. 108 .....	86
H. 4750 .....	234	S. 133 .....	8, 132
H. 4757 .....	147	S. 152 .....	7, 118
H. 4766 .....	227	S. 158 .....	92
H. 4775 .....	153, 160	S. 202 .....	109, 192, 197
H. 4776 .....	94, 95, 131	S. 233 .....	88, 129
H. 4831 .....	157, 191, 192	S. 236 .....	6, 123
H. 4832 .....	227	S. 243 .....	122, 135
H. 4837 .....	229	S. 506 .....	128, 161
H. 4889 .....	80, 229	S. 533 .....	89, 90

THURSDAY, MAY 12, 2022

S. 560.....	137
S. 628.....	145, 159, 167, 180
S. 628.....	181
S. 888.....	108
S. 901.....	7, 128, 139
S. 906.....	8
S. 908.....	127
S. 918.....	114
S. 919.....	114
S. 935.....	121, 136
S. 945.....	109
S. 968.....	120
S. 969.....	115
S. 984.....	108
S. 1011.....	7, 138
S. 1025.....	124, 193, 196
S. 1031.....	109, 130
S. 1032.....	6
S. 1038.....	111
S. 1045.....	115
S. 1059.....	213
S. 1060.....	213
S. 1077.....	119, 135
S. 1087.....	126
S. 1092.....	122
S. 1103.....	213
S. 1106.....	126
S. 1117.....	214
S. 1136.....	107
S. 1178.....	215
S. 1179.....	215
S. 1180.....	216
S. 1235.....	4, 6
S. 1237.....	117
S. 1243.....	111
S. 1257.....	112
S. 1263.....	216
S. 1264.....	217
S. 1270.....	217
S. 1271.....	217
S. 1292.....	218
S. 1299.....	139
S. 1314.....	8, 218
S. 1325.....	197, 236