

Wednesday, June 15, 2022
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 84:8: “O Lord God of host, hear my prayer; give ear, O God of Jacob.”

Let us pray. As we open our hearts and open our eyes, we see the chance to breathe in the Spirit along with our sisters and brothers. This gives us a chance to slow down and listen to Your calling. Fill our soul, refresh and strengthen us for the work ahead. Guard and guide each Representative and Staff as they work to fulfill the work for the people. Bless our defenders of freedom and first responders as they care for us. Bless and keep our World, Nation, President, State, Governor, Speaker, Staff, and all who give of their time and efforts to this great cause. Heal the wounds, those seen and those hidden, of our brave women and men 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 Thursday, May 12, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. S. WILLIAMS moved that when the House adjourns, it adjourn in memory of Alex Flint, which was agreed to.

COMMUNICATION

The following was received:

STATE OF SOUTH CAROLINA
OFFICE OF THE SECRETARY OF STATE

May 23, 2022
South Carolina House of Representatives

WEDNESDAY, JUNE 15, 2022

Mr. Charles F. Reid
Clerk of the House
Post Office Box 11867
Columbia, SC 29211

Dear Mr. Reid:

The State Election Commission has certified to this office by mail the winner of the State House District 97 special election held on May 17, 2022. Please find enclosed a copy of the election results as certified to this office by the State Election Commission certifying Robby Robbins as winner fo the special election for House District 97.

Please contact my office if you have any questions or need anything further.

Sincerely,
Mark Hammond
Secretary of State

SOUTH CAROLINA ELECTION COMMISSION

May 20, 2022
The Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Secretary,

The State Board of Canvassers hereby certifies Robby Robbins as the winner of the State House District 97 Special Election held on May 17, 2022, in Berkeley, Colleton, and Dorchester Counties. The official results are as follows:

Candidate	Votes	Percent
ReZsaun Lewis	862	36.2%
Robby Robbins, Winner	1511	63.4%
Write-in	10	0.4%

Sincerely,
Howard M. Knapp JD
Executive Director

WEDNESDAY, JUNE 15, 2022

MEMBER-ELECT SWORN IN

The Honorable Robby Robbins, Member-elect from District No. 97, presented his credentials and the oath of office was administered to him by the SPEAKER.

COMMUNICATION

The following was received:

**STATE OF SOUTH CAROLINA
OFFICE OF THE SECRETARY OF STATE**

June 1, 2022

South Carolina House of Representatives

Mr. Charles F. Reid

Clerk of the House

Post Office Box 11867

Columbia, SC 29211

Dear Mr. Reid:

The State Election Commission has certified to this office by mail the winner of the State House District 18 special election held on May 24, 2022. Please find enclosed a copy of the election results as certified to this office by the State Election Commission certifying Alan Morgan as winner of the special election for House District 18.

Please contact my office if you have any questions or need anything further.

Sincerely,

Mark Hammond

Secretary of State

SOUTH CAROLINA ELECTION COMMISSION

May 27, 2022

The Honorable Mark Hammond

Secretary of State

1205 Pendleton Street, Suite 525

Columbia, SC 29201

Dear Mr. Secretary,

The State Board of Canvassers hereby certifies Alan Morgan as the winner of the State House District 18 Special Election held on May 24, 2022, in Greenville County. The official results are as follows:

WEDNESDAY, JUNE 15, 2022

Candidate	Votes	Percent
Alan Morgan, Winner	273	86.39%
Write-in	43	13.61%

Sincerely,
Howard M. Knapp JD
Executive Director

MEMBER-ELECT SWORN IN

The Honorable Alan Morgan, Member-elect from District No. 18, presented his credentials and the oath of office was administered to him by the SPEAKER.

SPEAKER *PRO TEMPORE* IN CHAIR

RESIGNATION

The following was received:

June 1, 2022
The Honorable Charles F. Reid Clerk, SC House of Representatives
213 Blatt Building
PO Box 11867
Columbia, SC 29211

Dear Mr. Reid:

Please accept this letter resigning my position as Chairman of the House Committee on Regulations and Administrative Procedures, effective September 1, 2022. I submit this resignation after much thought and consideration, as I look back upon my service with this committee.

As you already know, I will not seek re-election to the House. Consequently, I believe it is in the best interest of both the committee and this Body that I submit this resignation to assist in an orderly transition of responsibilities and to help with continued committee operations during this legislative session.

Through the years, I have been privileged to serve in many roles in the South Carolina House. However, it has been a most gratifying role to serve as Chairman of the Committee on Regulations and Administrative Procedures. This committee has streamlined and improved the process of impliimenting regulations and has allowed for more public input and transparency in regulation implementation. Although I will continue to

WEDNESDAY, JUNE 15, 2022

serve as a member of the committee for the remainder of this General Assembly, I feel it is in the best interest of the committee and its mission to begin the transition to new leadership at this time.

I resign from this office knowing that the Committee on Regulations and Administrative Procedures will choose wisely in selecting its next chairman.

Sincerely,
Chip Huggins
Received as information.

RESIGNATION

The following was received:

May 9, 2022
The Honorable James H. Lucas, Speaker of the House
506 Blatt Building
Columbia, South Carolina 29201

Dear Speaker Lucas:

Please accept this letter as my resignation from the Judicial Merit Selection Commission, effective immediately. I appreciate the confidence you placed in me with this appointment. Since 2016, this role has been one I value significantly and I have strived to fulfill it with honor. As a member, and ultimately in my role as Chairman of the Commission, I sought to advance the integrity and quality of our state's judiciary. I have seen firsthand the dedication of the members of the Commission who have consistently acted for the benefit of the people of South Carolina.

It has been a profound honor to serve in this capacity. Do not hesitate to contact me if you need any additional information.

Sincerely,
G. Murrell Smith, Jr.
Chairman, Ways and Means Committee
Received as information.

WEDNESDAY, JUNE 15, 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 having received a message that the House receded from its amendments to S. 1092, it has enrolled the Bill for ratification:

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, SO AS TO ESTABLISH THE MINIMUM AGE FOR CERTAIN DETENTION AND CORRECTIONAL OFFICER CANDIDATES AS EIGHTEEN YEARS OF AGE.

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 having received a message that the House receded from its amendments to S. 1031, it has enrolled the Bill for ratification:

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-5, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS FOR ELIGIBILITY TO SERVE OR CONTINUE TO SERVE AS A REGISTER OF DEEDS, AND TO PROVIDE QUO WARRANTO ACTIONS MAY BE BROUGHT TO DETERMINE THE ELIGIBILITY OF A PERSON TO SEEK OR CONTINUE TO SERVE AS A REGISTER OF DEEDS; TO AMEND SECTION 30-5-90, RELATING TO THE TIME WITHIN WHICH A REGISTER OF

WEDNESDAY, JUNE 15, 2022

DEEDS SHALL RECORD CERTAIN INSTRUMENTS, SO AS TO PROVIDE SUCH A REGISTER OF DEEDS SHALL FILE SUCH INSTRUMENTS WITHIN THIRTY DAYS AFTER ITS LODGMENT; TO PROVIDE CERTAIN PROVISIONS OF THIS ACT DO NOT APPLY TO PERSONS WHO HOLD THE OFFICE OF REGISTER OF DEEDS ON THE EFFECTIVE DATE OF THIS ACT AND DURING HIS TENURE IN OFFICE; AND TO PROVIDE AFFIRMATIVE DEFENSE TO QUO WARRANTO ACTIONS BROUGHT PURSUANT TO THIS ACT.

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 having received a message that the House receded from its amendments to S. 236, it has enrolled the Bill for ratification:

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, AMONG OTHER THINGS, THAT FOR PURPOSES OF MUNICIPAL PRIMARY ELECTIONS, ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS SHALL HAVE ITS OWN POLLING PLACE, THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS MAY NOT EXCEED THREE THOUSAND, AND THAT POOLED MUNICIPAL POLLING PLACES MUST NOT BE MORE THAN THREE MILES FROM THE NEAREST PART OF ANY POOLED PRECINCT.

Very respectfully,
President
Received as information.

WEDNESDAY, JUNE 15, 2022

COMMUNICATION

The following was received:

2nd CONGRESSIONAL DISTRICT DELEGATION

May 16, 2022

Mr. Charles F. Reid, Clerk
South Carolina House of Representatives
1105 Pendleton Street
Columbia, South Carolina 29201

RE: Approval of Mr. William B. Dukes, 2nd District, SCDOT
Commission

Dear Governor McMaster, Secretary Hammond, Mr. Gossett, and Mr.
Reid:

Members of the General Assembly representing the 2nd Congressional
District met on Wednesday, May 11, 2022, to consider the following
appointment:

William B. "Bill" Dukes
SC Department of Transportation Commission
2nd Congressional District
Term Commencing: February 15, 2022
Term Expiring: February 15, 2026
Vice: Self

As ranking senator from the 2nd District, I certify that Mr. Dukes
received a majority of the weighted vote of only the senators in the
delegation and a majority of the weighted vote of only the members of
the House of Representatives in the delegation.

Thank you for your attention to this matter. Please contact me if you
have any questions.

Sincerely,
Nikki Setzler
Received as information.

WEDNESDAY, JUNE 15, 2022

APPOINTMENT

The following was received:

4th CONGRESSIONAL DISTRICT LEGISLATIVE DELEGATION

May 16, 2022

Mr. Charles F. Reid, Clerk
South Carolina House of Representatives
1105 Pendleton Street
Columbia, South Carolina 29201

RE: Approval of Mr. Maxson K. Metcalf, 4th District, SCDOT
Commission

Dear Governor McMaster, Secretary Hammond, Mr. Gossett, and Mr.
Reid:

Enclosed find documents relating to the following appointment:

Mr. Maxson K. Metcalf
SC Department of Transportation Commission
4th Congressional District
Term Commencing: February 15, 2022
Term Expiring: February 15, 2026
Vice: Woodrow Wilson Wilard, Jr.

Thank you for your attention to this matter. Please contact me if you
have any questions.

Sincerely,
Members of the General Assembly representing South Carolina's 4th
Congressional District

SOUTH CAROLINA
4th CONGRESSIONAL DISTRICT
May 11, 2022

We, the undersigned members of the South Carolina House of
Representatives and members of the South Carolina Senate from the 4th
Congressional District, approve the appointment of Maxson K. Metcalf
to the:

WEDNESDAY, JUNE 15, 2022

South Carolina Department of Transportation Commission
Seat: Congressional District 4
Vice: Woodrow Wilson Willard, Jr.
Term Expiring: 2/15/2026

Maxson K. Metcalf
1128 Edwards Road
Greenville, South Carolina 29615

Honorable Westley P. Cox	Honorable Patrick B. Haddon
Honorable Mark N. Willis	Honorable Adam Morgan
Honorable James Mikell Burns	Honorable Bobby Cox
Honorable Jason Elliott	Honorable Chandra Dillard
Honorable Travis Moore	Honorable Bruce Bannister
Honorable Roger A. Nutt	Honorable Leola Robinson
Honorable William Chumley	Honorable Garry R. Smith
Honorable Merita A. Allison	Honorable Ashley Trantham
Honorable Steven Long	Honorable Rosalyn Henderson-Myers
Honorable Josiah Magnuson	Honorable Max T. Hyde
Honorable Thomas Corbin	Honorable Ross Turner
Honorable Dwight A. Loftis	Honorable Daniel B. Verdin III
Honorable Karl B. Allen	Honorable Josh Kimbrell
Honorable Scott Talley	Honorable Harvey S. Peeler, Jr.
Honorable Shane Martin	

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 H. 3729:

H. 3729 -- Reprs. 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

WEDNESDAY, JUNE 15, 2022

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 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.

Very respectfully,
President
Received as information.

H. 3729--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.

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

WEDNESDAY, JUNE 15, 2022

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, AND 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.

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.

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 requested and has granted free conference powers and appointed Senators Shealy, Young and McElveen of the Committee of Free Conference on the part of the Senate on 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

WEDNESDAY, JUNE 15, 2022

CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT 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 Campsen, Climer and Stephens to the Committee of Conference on the part of the Senate on H. 3055:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48 22 40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING BY DECEMBER 31, 2022, AND AT LEAST EVERY SEVEN YEARS THEREAFTER, AND TO SHARE THE INFORMATION WITH THE DEPARTMENT'S FLOOD MITIGATION PROGRAM; TO AMEND SECTION 48 4 10, 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 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

WEDNESDAY, JUNE 15, 2022

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 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, AS AMENDED, 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
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 Rice, Campsen and Sabb to the Committee of Conference on the part of the Senate on S. 133:

WEDNESDAY, JUNE 15, 2022

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.

Very Respectfully,

President

Received as information.

HOUSE RESOLUTION

The following was introduced:

H. 5403 -- Reps. Gilliam, 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, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West,

WEDNESDAY, JUNE 15, 2022

Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXTEND THE DEEPEST SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LOVING FAMILY AND MANY FRIENDS OF STEPHEN LEE JENNINGS OF UNION COUNTY UPON HIS PASSING AND TO EXPRESS TO THEM THEIR PROFOUND SORROW.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5404 -- Rep. Rutherford: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF WILLIAM BENJAMIN "BILL" WHITNEY OF GREENVILLE, TO CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5405 -- Reps. McGarry, Lucas, B. Newton, Yow, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West,

WEDNESDAY, JUNE 15, 2022

Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis and Wooten: A HOUSE RESOLUTION TO CONGRATULATE THE ANDREW JACKSON HIGH SCHOOL VARSITY BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND FOR WINNING THE 2022 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5406 -- Reps. Nutt, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 COMMEND MICHAEL THOMAS OF MOORE, SOUTH CAROLINA, FOR HIS ACADEMIC ACHIEVEMENTS AND TO CONGRATULATE HIM UPON HIS GRADUATION FROM SPARTANBURG METHODIST COLLEGE.

The Resolution was adopted.

WEDNESDAY, JUNE 15, 2022

HOUSE RESOLUTION

The following was introduced:

H. 5407 -- Reps. Carter, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 DANIEL HIGH SCHOOL BOYS SOCCER TEAM ON AN IMPRESSIVE SEASON AND TO CELEBRATE THE LIONS' CAPTURE OF THE 2022 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5408 -- Reps. Burns, Allison, Bannister, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, A. M. Morgan, T. A. Morgan, Robinson, G. R. Smith, Trantham, Willis, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Bustos, Calhoon, Carter, Caskey, Clyburn, Cobb-Hunter, Cogswell, Collins, Crawford, Dabney, Daning, Davis, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, 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,

WEDNESDAY, JUNE 15, 2022

Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, 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, Robbins, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE NORTH GREENVILLE UNIVERSITY BASEBALL TEAM AND COACHES FOR WINNING THE 2022 NCAA DIVISION II NATIONAL CHAMPIONSHIP TITLE AND TO CELEBRATE THEIR EXTRAORDINARY SEASON.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5409 -- Reps. Blackwell, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 JOSEPH DESKEVICH III, OF AIKEN FOR HIS NOTEWORTHY ACHIEVEMENTS IN THE BOY SCOUTS OF AMERICA AND TO CONGRATULATE HIM UPON ACHIEVING

WEDNESDAY, JUNE 15, 2022

THE PRESTIGIOUS RANK OF EAGLE SCOUT, THE HIGHEST AWARD IN SCOUTING.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5410 -- Reps. Blackwell, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 ANDREW THARPE SINGER OF AIKEN FOR HIS NOTEWORTHY ACHIEVEMENTS IN THE BOY SCOUTS OF AMERICA AND TO CONGRATULATE HIM UPON ACHIEVING THE PRESTIGIOUS RANK OF EAGLE SCOUT, THE HIGHEST AWARD IN SCOUTING.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5411 -- Reps. Calhoon, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox,

WEDNESDAY, JUNE 15, 2022

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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 EXTEND THE DEEPEST SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LOVING FAMILY AND MANY FRIENDS OF DAVID CHRISTOPHER BARKER OF LEXINGTON COUNTY UPON HIS PASSING AND TO EXPRESS THEIR PROFOUND SORROW TO THEM.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5412 -- Reps. Hixon, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West,

WEDNESDAY, JUNE 15, 2022

Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF ROY GENE RUTLAND OF NORWAY, SOUTH CAROLINA, TO CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5413 -- Reprs. G. M. Smith, Weeks, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, Robinson, Rose, Rutherford, Sandifer, Simrill, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE CHARLES "CHARLIE" NOONAN OF SUMTER COUNTY FOR CATCHING THE NORTH CAROLINA STATE RECORD POMPAÑO DOLPHINFISH AND THE PENDING WORLD RECORD.

The Resolution was adopted.

WEDNESDAY, JUNE 15, 2022

HOUSE RESOLUTION

The following was introduced:

H. 5414 -- Reps. G. M. Smith, Weeks, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, Robinson, Rose, Rutherford, Sandifer, Simrill, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR GARY NELSON OF SUMTER HIGH SCHOOL FOR HIS OUTSTANDING CAREER AS AN ATHLETIC TRAINER, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5415 -- Rep. Parks: A HOUSE RESOLUTION TO CONGRATULATE THE NATION UPON THE SIGNAGE OF THE JUNETEENTH NATIONAL INDEPENDENCE DAY ACT INTO LAW AND THE TOWN OF MCCORMICK ON ITS MUCH-ANTICIPATED JUNETEENTH 2022 CELEBRATION.

The Resolution was adopted.

WEDNESDAY, JUNE 15, 2022

HOUSE RESOLUTION

The following was introduced:

H. 5416 -- Reps. Parks, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Pendarvis, Pope, Rivers, Robbins, 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 MACEDONIA MISSIONARY BAPTIST CHURCH OF GREENWOOD ON THE OCCASION OF ITS HISTORIC ONE HUNDRED FORTIETH ANNIVERSARY AND TO COMMEND THE CHURCH FOR NEARLY A CENTURY AND A HALF OF SERVICE TO GOD AND THE COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5417 -- Reps. King and McDaniel: A HOUSE RESOLUTION TO CONGRATULATE BAMBI DANIELS FOR HER SOUTHERN COOKING WHICH HAS GARNERED HER A TOP TEN SPOT FOR THE GREAT AMERICAN RECIPE COOKING COMPETITION AND FOR HER DEDICATION TO REPAIRER OF THE BREACH FOOD DISTRIBUTION IN CHESTER.

The Resolution was adopted.

WEDNESDAY, JUNE 15, 2022

HOUSE RESOLUTION

The following was introduced:

H. 5418 -- Reprs. King and S. Williams: A HOUSE RESOLUTION TO CONGRATULATE JOHN HENRY MARTIN OF ESTILL, OWNER OF MARTIN FUNERAL HOME, ON BEING NAMED GEORGIA'S 2ND DISTRICT MORTICIAN OF THE YEAR, AND TO THANK HIM FOR HIS SERVICE TO THE COMMUNITY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5419 -- Reprs. G. M. Smith, Weeks, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, Robinson, Rose, Rutherford, Sandifer, Simrill, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF BENTHAM WALKER EDMUNDS OF SUMTER, TO CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

WEDNESDAY, JUNE 15, 2022

HOUSE RESOLUTION

The following was introduced:

H. 5420 -- Reps. Govan, 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, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 RACHELLE JAMERSON HOLMES, A FASHION AND INTERIOR DESIGNER, ENTREPRENEUR, AND MOTIVATIONAL SPEAKER, FOR BEING HONORED AS THE 2021-2022 DISTRICT 1 VICE PRESIDENT OF THE ATLANTA AREA COUNCIL OF THE AMERICAN BUSINESS WOMEN'S ASSOCIATION.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5421 -- Reps. Felder, Bryant, King, Ligon, D. C. Moss, V. S. Moss, B. Newton, Pope and Simrill: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE FORT MILL HIGH SCHOOL VARSITY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON, AND TO CONGRATULATE THEM ON WINNING THE 2022 SOUTH CAROLINA CLASS AAAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

WEDNESDAY, JUNE 15, 2022

HOUSE RESOLUTION

The following was introduced:

H. 5422 -- Reps. Henegan, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 SAMUEL LEE "SAM" DAVIS, OWNER OF YOUNG AND YOUNG FUNERAL HOME IN HARTSVILLE, ON THE OCCASION OF THE SEVENTY-FIFTH ANNIVERSARY OF THE ESTABLISHMENT OF THE FUNERAL HOME WHICH HAS GIVEN MODEL SERVICE TO THE HARTSVILLE COMMUNITY.

The Resolution was adopted.

ROLL CALL

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

Anderson	Atkinson	Bailey
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

WEDNESDAY, JUNE 15, 2022

Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. 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	A. M. Morgan	T. A. Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Rivers	Robbins	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total Present--117

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

WEDNESDAY, JUNE 15, 2022

S. 1235--ORDERED ENROLLED FOR RATIFICATION

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 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 101; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Collins	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hayes	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	McCabe
McCravy	McGarry	McGinnis
T. Moore	A. M. Morgan	T. A. Morgan

WEDNESDAY, JUNE 15, 2022

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

Total--101

Those who voted in the negative are:

Total--0

The 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.

ACTING SPEAKER HIOTT IN CHAIR

S. 1299--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

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.

Rep. HOSEY proposed the following Amendment No. 1 to S. 1299 (COUNCIL\ZW\1299C001.AR.ZW22), which was adopted:

WEDNESDAY, JUNE 15, 2022

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

/ SECTION ____ . SECTION 2 of Act 105 of 2021 is amended by adding an appropriately lettered subsection to read:

“(1) Pursuant to subsection (B), beginning with the school district elections in 2022, the seven single-member election districts from which the members of the Barnwell County Consolidated School District Board of Trustees must be elected are as shown on the Barnwell County Consolidated School District map S-11-00-22 as maintained by the Revenue and Fiscal Affairs Office.

(2) The demographic information shown on this map is as follows:

District	Pop.	Dev.	% Dev.	Hisp.	%Hisp
1	1,347	50	3.86%	17	1.26%
2	1,264	-33	-2.54%	26	2.06%
3	1,298	1	0.08%	40	3.08%
4	1,235	-62	-4.78%	39	3.16%
5	1,345	48	3.70%	37	2.75%
6	1,336	39	3.01%	26	1.95%
7	1,257	-40	-3.08%	23	1.83%
Totals	9,082			208	2.29%

District	NHWhite	%NHWhite	NH DOJ Blk	%NH DOJ Blk	VAP	%VAP
1	741	55.01%	566	42.02%	1,077	79.96%
2	834	65.98%	369	29.19%	976	77.22%
3	701	54.01%	521	40.14%	974	75.04%
4	426	34.49%	718	58.14%	930	75.30%
5	548	40.74%	711	52.86%	1,057	78.59%
6	478	35.78%	799	59.81%	1,014	75.90%
7	479	38.11%	731	58.15%	1,026	81.62%
Totals	4,207	46.32%	4,415	48.61%	7,054	%NH DOJ

District	HVAP	%HVAP	NH WVAP	%NH WVAP	NH DOJ BVAP	BVAP
1	5	0.46%	615	57.10%	444	41.23%
2	21	2.15%	653	66.91%	276	28.28%
3	22	2.26%	570	58.52%	350	35.93%
4	26	2.80%	354	38.06%	513	55.16%
5	27	2.55%	433	40.97%	561	53.07%
6	17	1.68%	391	38.56%	578	57.00%
7	17	1.66%	414	40.35%	575	56.04%
Totals	135	1.91%	3,430	48.62%	3,297	46.74%

SECTION ____ . The exterior boundaries of the Barnwell County Consolidated School District are not altered by the provisions of this act. These school district lines are as defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base. /

Renumber sections to conform.

Amend title to conform.

WEDNESDAY, JUNE 15, 2022

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

The yeas and nays were taken resulting as follows:
Yeas 100; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Haddon	Hardee	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	K. O. Johnson	Jones
Jordan	King	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
T. Moore	A. M. Morgan	T. A. Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pope	Robbins
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	White	Whitmire

WEDNESDAY, JUNE 15, 2022

R. Williams
Yow

Willis

Wooten

Total--100

Those who voted in the negative are:

Total--0

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

SPEAKER *PRO TEMPORE* IN CHAIR

RECURRENCE TO THE MORNING HOUR

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

HOUSE RESOLUTION

The following was introduced:

H. 5423 -- Reps. Murray, Gilliard, 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, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 BELOVED COOKBOOK AUTHOR EMILY MEGGETT OF EDISTO ISLAND ON THE PUBLICATION OF HER NEW COOKBOOK,

WEDNESDAY, JUNE 15, 2022

GULLAH GEECHEE HOME COOKING: RECIPES FROM THE MATRIARCH OF EDISTO ISLAND, AND ON HER SELECTION BY PRESIDENT JOE BIDEN TO RECEIVE THE PRESIDENT'S LIFETIME ACHIEVEMENT AWARD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5424 -- Reps. Murray, Gilliard, 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, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 MR. AND MRS. LEROY MORRISON OF CHARLESTON COUNTY ON THE OCCASION OF THEIR DIAMOND ANNIVERSARY, AND TO EXTEND BEST WISHES TO THEM FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT.

The Resolution was adopted.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 2022

Mr. Speaker and Members of the House:

WEDNESDAY, JUNE 15, 2022

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 189, S. 1180 by a vote of 39 to 0.

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. - ratified title

Very respectfully,
President

R. 189, S. 1180--ORDERED PRINTED IN THE JOURNAL

The SPEAKER ordered the following Veto printed in the Journal:

May 18, 2022
The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-189, S. 1180, which seeks to amend Act No. 525 of 1982, relating to the election of members of the Chester County School Board of Trustees ("Board"), so as to establish new single-member districts that are different from those districts for members of Chester County Council. Currently, under Act No. 525 of 1982, as amended by subsequent legislation, the single-member districts for the Board correspond to, and are co-terminus with,

WEDNESDAY, JUNE 15, 2022

the single-member districts for Chester County Council. For the reasons set forth below, and particularly in light of the concerns recently expressed by one or more members of the Chester County Legislative Delegation ("Delegation"), I am compelled to veto S. 1180.

As an initial matter, and as the General Assembly is aware, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. The South Carolina Constitution expressly prohibits the General Assembly from enacting legislation "for a specific county" or exempting a specific county from the general law or passing special legislation "where a general law can be made applicable." S.C. Const. art VIII, § 7; S.C. Const. art. III, § 34(IX). Although our courts have held that greater deference is warranted in the context of public education, "legislation regarding education is not exempt from the requirements of Article III, § 34(IX)." *Horry Cnty. v. Horry Cnty. Higher Educ. Comm'n*, 306 S.C. 416,419,412 S.E.2d 421, 423 (1991). Similarly, while the South Carolina Constitution provides that "[t]he General Assembly shall ... regulate the time, place and manner of elections [and] provide for the administration of elections," S.C. Const. art. II, § 10, local election-related legislation is not immune from scrutiny. Therefore, I carefully review and consider all such legislation presented to me and evaluate the same in view of the governing law. Here, while S. 1180 plainly pertains only to Chester County, it appears that a general law, to the extent necessary, could not be made applicable. However, although S. 1180 may not violate the constitutional prohibition on local or special legislation, this Bill and others recently passed by the General Assembly addressing the reapportionment of school districts further illustrate and underscore the problems associated with piecemeal, and often inconsistent, local legislation. Accordingly, I must reiterate my longstanding concerns regarding the General Assembly's regular resort to this practice, which has produced a patchwork of authorities governing South Carolina's schools and school districts.

Notwithstanding the foregoing, S. 1180 appears to be independently problematic, and it is my understanding that at least one member of the Delegation apparently was not aware of S. 1180's implications. As evidenced by the enclosed correspondence, there are concerns regarding this legislation's unexplained, unjustified, or undisclosed alteration of district lines and the sudden departure from the single-member districts for Chester County Council. If S. 1180's impact was not clear to the General Assembly that passed the bill, one can safely presume that the general public may not be aware of the same. Moreover, I am concerned that the manner in which S. 1180 proposes to stagger implementation of

WEDNESDAY, JUNE 15, 2022

the new districts could potentially result in overlapping districts or unrepresented areas, which may lead to temporary disenfranchisement or other representational issues prior to the 2024 General Election. Accordingly, and particularly in view of the aforementioned considerations and the objections raised by one or more members of the Delegation, I am compelled to veto S. 1180.

For the foregoing reasons, I am respectfully vetoing R-189, S. 1180 and returning the same without my signature.

Yours very truly,
Henry McMaster

R. 189, S. 1180--GOVERNOR'S VETO SUSTAINED

The Veto on the following Act was taken up:

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.

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

Yeas 34; Nays 64

Those who voted in the affirmative are:

Anderson	Bamberg	Bernstein
Brawley	Dillard	Garvin
Gilliard	Govan	Hardee

WEDNESDAY, JUNE 15, 2022

Henderson-Myers	Henegan	Howard
Jefferson	K. O. Johnson	King
Kirby	McDaniel	McKnight
Murphy	Murray	Ott
Parks	Pendarvis	Rivers
Robinson	Rose	Rutherford
Sandifer	Stavrinakis	Tedder
Thigpen	Wheeler	R. Williams
S. Williams		

Total--34

Those who voted in the negative are:

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

Total--64

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

WEDNESDAY, JUNE 15, 2022

SPEAKER IN CHAIR

S. 968--FREE CONFERENCE POWERS GRANTED

Rep. YOW moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

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.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson

WEDNESDAY, JUNE 15, 2022

K. O. Johnson	Jones	Jordan
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McGarry	McKnight
T. Moore	A. M. Morgan	T. A. Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robbins	Robinson	Rose
Sandifer	Simrill	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. YOW, MATTHEWS and MCGARRY to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

S. 968--FREE CONFERENCE REPORT ADOPTED

S. 968 -- Free Conference Report

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

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

WEDNESDAY, JUNE 15, 2022

“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.

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. Article 1, Chapter 11, Title 25 of the 1976 Code is amended by adding:

“Section 25-11-85. (A)(1) There is established and created in the State Treasury a fund separate and distinct from the general fund of the State and all other funds entitled the ‘Veterans Service Organization Burial Honor Guard Support Fund’. The fund’s exclusive purpose is to help offset the costs paid by South Carolina chapters of congressionally chartered veterans service organizations that provide well-equipped and properly trained honor guard burial details at the funerals of qualifying South Carolina veterans.

(2) Revenues of the fund may include gifts, grants, federal funds, or donations made to the fund, regardless of source, and amounts as may be appropriated to the fund by the General Assembly. Money deposited in the fund must be disbursed by the State Treasurer upon the warrant of the Secretary of the Department of Veterans’ Affairs or his representative. Earnings on this fund must be credited to it, and a balance in the fund at the end of a fiscal year does not lapse to the general fund of the State, but is instead carried forward in the fund to the succeeding fiscal year to be used for the same purposes. The fund is not subject to midyear budget reductions, and disbursements awarded may not at any time exceed the fund balance at the time of the grant.

(B) Upon request by a South Carolina chapter of a congressionally chartered veterans service organization that provided an honor guard burial detail at the funeral of a qualifying South Carolina veteran, the Secretary of the Department of Veterans’ Affairs or his representative may authorize a disbursement from the fund, in an amount not less than fifty dollars, but not exceeding the per funeral cap established annually

WEDNESDAY, JUNE 15, 2022

by the secretary, for the purposes described in this section. Pursuant to his authority provided for in Section 25-11-20(D), the Secretary of the Department of Veterans' Affairs may promulgate regulations necessary to implement the provisions of this section.

(C) As used in this section:

(1) 'Veteran' means a person who has:

(a) served on active duty in the uniformed military services of the United States;

(b) served on active duty in the National Guard or any organized state militia; or

(c) served in the reserve components of the uniformed military services of the United States on active duty; and

(d) was released from this service other than by dishonorable discharge.

(2) 'Veterans service organization' means an association, corporation, or other entity that qualifies under Internal Revenue Code Section 501(c)(3) or Section 501(c)(19) as a tax exempt organization, a federally chartered veterans service corporation, or a veterans' affairs office or agency established by state law. This term also includes a member or employee of any such entity."

SECTION 2. This act takes effect upon approval by the Governor. / Amend title to conform.

/s/Sen. J. Thomas McElveen III	/s/Rep. Richard L. Yow
/s/Sen. Katrina F. Shealy	/s/Rep. Sandy N. McGarry
/s/Sen. Tom Young, Jr.	/s/Rep. Krystle N. Matthews
On Part of the Senate.	On Part of the House.

Rep. YOW explained the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Collins	B. Cox	W. Cox

WEDNESDAY, JUNE 15, 2022

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

Total--111

Those who voted in the negative are:

Total--0

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

WEDNESDAY, JUNE 15, 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 adopted the report of the Committee of Conference on 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.

Very respectfully,

President

Received as information.

S. 968--ORDERED ENROLLED FOR RATIFICATION

The Report of the Committee of Free 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. 5150--CONFERENCE REPORT ADOPTED

H. 5150 -- Conference Report

The General Assembly, Columbia, S.C., June 15, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

WEDNESDAY, JUNE 15, 2022

THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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:

/ /

Amend title to conform.

/s/Sen. Harvey Smith Peeler, Jr.	/s/Rep. J. Gary Simrill
/s/Sen. Thomas C. Alexander	/s/Rep. George Murrell Smith, Jr.
/s/Sen. Nikki Giles Setzler	/s/Rep. James Todd Rutherford
On Part of the Senate.	On Part of the House.

Rep. SIMRILL explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 8

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	K. O. Johnson

WEDNESDAY, JUNE 15, 2022

Jones	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Matthews
McCravy	McDaniel	McGarry
McGinnis	McKnight	T. Moore
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Rivers	Robbins	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--107

Those who voted in the negative are:

Haddon	Hill	Magnuson
May	McCabe	A. M. Morgan
T. A. Morgan	Trantham	

Total--8

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

S. 1087--CONFERENCE REPORT ADOPTED

S. 1087 -- Conference Report

The General Assembly, Columbia, S.C., May 25, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

WEDNESDAY, JUNE 15, 2022

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.

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 may be cited as the “Comprehensive Tax Cut Act of 2022”.

SECTION 2. Section 12-6-510 of the 1976 Code is amended to read:

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

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

WEDNESDAY, JUNE 15, 2022

Over \$11,100 \$456 plus 7 percent of the excess over \$11,100.

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

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

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

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

WEDNESDAY, JUNE 15, 2022

of this section, 'recurring general fund revenue' and 'recurring general fund expenditure base' have the same meaning as provided in Section 6-27-30.

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

SECTION 3. A. Section 12-6-1171(A) of the 1976 Code is amended to read:

“(A)(1) An individual taxpayer ~~who has~~ may deduct all military retirement income, ~~each year may deduct an amount of his South Carolina earned income from South Carolina taxable income equal to the amount of military retirement income that is included in South Carolina taxable income, not to exceed seventeen thousand five hundred dollars. In the case of married taxpayers who file a joint federal income tax return, the deduction allowed by this section shall be calculated separately as though they had not filed a joint return, so that each individual's deduction is based on the same individual's retirement income and earned income. For purposes of this item, 'South Carolina earned income' has the same meaning as provided in Section 12-6-3330.~~

(2) Notwithstanding item (1), beginning in the year in which an individual taxpayer reaches age sixty five, an individual taxpayer who ~~has military retirement income may deduct up to thirty thousand dollars of military retirement income that is included in South Carolina taxable income.~~”

B. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2021.

SECTION 4. A. Section 12-6-515 of the 1976 Code is repealed.

B. This SECTION takes effect on January first of the first tax year in which the provisions of Section 12-6-510(B) are fully phased-in and the top marginal rate equals six percent.

SECTION 5. A. Section 12-37-220(52) of the 1976 Code, as last amended by Act 39 of 2021, is further amended to read:

“(52)(a)(i) ~~14.2857~~ 42.8571 percent of the property tax value of manufacturing property assessed for property tax purposes pursuant to Section 12-43-220(a)(1). The exemption allowed by this item does not apply to property owned or leased by a public utility, as defined in Section 58-3-5, that is regulated by the Public Service Commission, regardless of whether the property is used for manufacturing. For purposes of this item, if the exemption is applied to real property, then it must be applied to the property tax value as it may be adjusted downward to reflect the limit imposed pursuant to Section 6, Article X of the South Carolina Constitution, 1895;

WEDNESDAY, JUNE 15, 2022

(ii) To the extent any such monies are refunded or otherwise credited under this item to a public utility that is regulated by the Public Service Commission, regardless of whether the property is used for manufacturing, any such refund or credits must be flowed through to customers as a reduction in rates, as appropriate.

(b) The revenue loss resulting from the exemption allowed by this item must be reimbursed and allocated to the political subdivisions of this State, including school districts, in the same manner as the Trust Fund for Tax Relief, not to exceed ~~eighty-five~~ one hundred seventy million dollars per year. In calculating estimated state individual and corporate income tax revenues for a fiscal year, the Board of Economic Advisors shall deduct amounts sufficient to account for the reimbursement required by this item.

(c) Notwithstanding the exemption allowed by this item, in any year in which reimbursements are projected by the Revenue and Fiscal Affairs Office to exceed the reimbursement cap in subitem (b), the exemption amount shall be proportionally reduced so as not to exceed the reimbursement cap.

(d) Notwithstanding any other provision of law, property exempted from property taxes in the manner provided in this item is considered taxable property for purposes of bonded indebtedness pursuant to Section 15, Article X of the Constitution of this State.”

B. Section 19. B. of Act 40 of 2017 relating to a phase-in of the manufacturing property tax exemption, is repealed.

C. This SECTION takes effect upon approval by the Governor and applies to property tax years after 2021.

SECTION 6. (A) From the Contingency Reserve Fund, there is appropriated one billion dollars to the Taxpayer Rebate Fund which is created in the State Treasury. The fund is separate and distinct from the general fund and all other funds of the State.

(B) The fund must be used by the Department of Revenue to provide a one-time rebate for individual income taxpayers that filed a return for tax year 2021. Each return filed for 2021 shall receive a rebate equal to the amount of tax liability on the return, except that if a return has seven hundred dollars or more of liability, the rebate shall equal seven hundred dollars. However, if the department determines that sufficient funds will exist to increase the maximum rebate of seven hundred dollars, the department shall increase the maximum so that all returns with a tax liability over the increased maximum receive the same rebate. The department must issue these refunds by December 31, 2022.

WEDNESDAY, JUNE 15, 2022

(C) The department may retain up to one percent of the fund, but not to exceed their actual costs, to administer the rebate.

(D) Any funds remaining in the fund after every rebate has been accounted for shall lapse to the Contingency Reserve Fund, at which time the fund is dissolved.

SECTION 7. This act takes effect upon approval by the Governor. /
Amend title to read:

/ 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 PHASE-IN A REDUCTION OF THE TOP MARGINAL RATE TO SIX PERCENT AND TO COLLAPSE OTHER INCOME TAX BRACKETS INTO THE BRACKET TO WHICH THE THREE PERCENT RATE APPLIES; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION; 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 AND TO INCREASE THE APPLICABLE LIMIT; AND TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO INDIVIDUAL INCOME TAXPAYERS. /

/s/Sen. Harvey Smith Peeler, Jr.	/s/Rep. J. Gary Simrill
/s/Sen. Nikki Giles Setzler	/s/Rep. George Murrell Smith, Jr.
/s/Sen. Thomas C. Alexander	/s/Rep. James Todd Rutherford
On Part of the Senate.	On Part of the House.

Rep. SIMRILL explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley

WEDNESDAY, JUNE 15, 2022

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

Total--110

Those who voted in the negative are:

Total--0

WEDNESDAY, JUNE 15, 2022

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

H. 3346--CONFERENCE REPORT ADOPTED

H. 3346 -- Conference Report

The General Assembly, Columbia, S.C., June 13, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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 11-11-310 of the 1976 Code is amended to read:

“Section 11-11-310. (A) The State Fiscal Accountability Authority shall provide for a General Reserve Fund. Funds accumulating in excess of the annual operating expenditures must be transferred to the General Reserve Fund and the transfer must continue to be made in succeeding

WEDNESDAY, JUNE 15, 2022

fiscal years until the accumulated total in this reserve reaches an amount equal to the applicable percentage amount of the general fund revenue of the latest completed fiscal year.

(B) If there is a year-end operating deficit, so much of the General Reserve Fund as is necessary must be used to cover the deficit. The amount so applied must be restored to the General Reserve Fund out of future revenues as provided in Section 36, Article III of the Constitution of this State and out of funds accumulating in excess of annual operating expenditures as provided in this section until the applicable percentage amount is reached and actually maintained.

(C) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit, and the amount must be restored to the reserve fund within five fiscal years out of future revenues until the applicable percentage amount required to be transferred to the General Reserve Fund, is reached and maintained. Provided, that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.

(D) For purposes of this section ‘applicable percentage amount’ means ~~five~~ seven percent of general fund revenue of the latest completed fiscal year. The ~~five~~ seven percent requirement shall be reached by adding a cumulative one-half of one percent of such revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ five percent limit applied until the percentage of such revenue equals ~~five~~ seven percent which then and thereafter shall apply.”

SECTION 2. A. Section 11-11-320 of the 1976 Code is amended to read:

“Section 11-11-320. (A) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to ~~two~~ three percent of the general fund revenue of the latest completed fiscal year.

(B) This appropriation must be contained in the Ways and Means Committee report on the general appropriations bill, the general appropriations bill at the time of third reading in the House of Representatives, the Senate Finance Committee report on the general appropriations bill, the general appropriations bill at the time of a third

reading in the Senate, and in any conference report on the general appropriations bill.

(C) Revenues in the Capital Reserve Fund only may be used in the following manner:

~~(1) In any fiscal year in which the General Reserve Fund does not maintain the percentage amount required by Section 11-11-310, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the requisite percentage amount in the General Reserve Fund. The Capital Reserve Fund's replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in Section 36(A), Article III of the Constitution of this State. After the General Reserve Fund is fully restored to the requisite percentage, the monies in the Capital Reserve Fund may be appropriated pursuant to item (2) of this subsection. The Capital Reserve Fund may not be used to offset a midyear budget reduction. If, before March first, the Board of Economic Advisors' revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriations for that year, then the current year's appropriation to the Capital Reserve Fund first must be reduced by the Executive Budget Office to the extent necessary before mandating any reductions in operating appropriations.~~

~~(2) Subsequent to appropriations required by item (1) After March first of a fiscal year, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting but not less than three-fifths of the total membership in each branch for the following purposes:~~

~~(a) to finance in cash previously authorized capital improvement bond projects;~~

~~(b) to retire interest or principal on bonds previously issued;~~

~~(c) for capital improvements or other nonrecurring purposes.~~

(D)(1) Any appropriation of monies from the Capital Reserve Fund as provided in subsection (C) of this section must be ranked in priority of expenditure and is effective on September first of the following fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced by the State Budget and Control Board based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied by the board to the year-end operating deficit before withdrawing monies from the General Reserve Fund.

WEDNESDAY, JUNE 15, 2022

(2) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in subsection (C) of this section or any appropriation for a particular project or item which has been reduced due to application of the monies to a year-end deficit must lapse and be credited to the general fund.”

B. Article 3, Chapter 11, Title 11 of the 1976 Code is amended by adding:

“Section 11-11-325. At any time during the current fiscal year, if the Board of Economic Advisors’ revenue forecast projects that revenues for the current fiscal year will be less than appropriated expenditures for this year, the Director of the Executive Budget Office in mandating necessary cuts during the current fiscal year to eliminate the projected deficit must first reduce to the extent necessary the appropriation to the Capital Reserve Fund, prior to mandating any cuts in operating appropriation.”

C. Section 11-9-1140(B)(1) of the 1976 Code is amended to read:

“(1) If at the end of the first, second, or third quarter of any fiscal year the Board of Economic Advisors reduces the revenue forecast for the fiscal year by three percent or less below the amount projected for the fiscal year in the forecast in effect at the time the general appropriations bill for the fiscal year is ratified, within three days of that determination, the Director of the Executive Budget Office, after reducing the appropriation to the Capital Reserve Fund pursuant to Section 11-11-325, must reduce general fund appropriations by the requisite amount in the manner prescribed by law. Upon making the reduction, the Director of the Executive Budget Office immediately must notify the State Treasurer and the Comptroller General of the reduction, and upon notification, the appropriations are considered reduced. No agencies, departments, institutions, activity, program, item, special appropriation, or allocation for which the General Assembly has provided funding in any part of this section may be discontinued, deleted, or deferred by the Director of the Executive Budget Office. A reduction of rate of expenditure by the Director of the Executive Budget Office, under authority of this section, must be applied as uniformly as shall be practicable, except that no reduction must be applied to funds encumbered by a written contract with the agency, department, or institution not connected with state government.”

SECTION 3.(A) The provisions of SECTION 1 of this act take effect upon the ratification of an amendment to Section 36(A), Article III of the Constitution of this State raising the general reserve fund from five percent of general fund revenue of the latest completed fiscal year

WEDNESDAY, JUNE 15, 2022

to seven percent of such revenues in the manner provided in the section and first applies to the state fiscal year beginning thereafter.

(B) The provisions of SECTION 2 of this act take effect upon the ratification of an amendment to Section 36(B), Article III of the Constitution of this State to allow the Capital Reserve Fund to be used first to offset midyear budget reductions and raising the Capital Reserve Fund from two percent of the general fund revenue of the latest completed fiscal year to three percent of such revenues and first applies to the state fiscal year beginning thereafter. /

Amend title to read:

/ 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 FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS; BY ADDING SECTION 11-11-325 SO AS TO REQUIRE THE CAPITAL RESERVE FUND BE REDUCED BEFORE MIDYEAR BUDGET REDUCTIONS ARE MADE; TO AMEND SECTION 11-9-1140, RELATING TO THE REDUCTION FO GENERAL FUND APPROPRIATIONS, SO AS TO MAKE A CONFORMING CHANGE; 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.

/s/Sen. Harvey S. Peeler, Jr.

/s/Sen. Nikki G. Setzler

/s/Sen. Thomas C. Alexander

On Part of the Senate.

/s/Rep. G. Murrell Smith, Jr.

/s/Rep. J. Gary Simrill

/s/Rep. J. Todd Rutherford

On Part of the House.

Rep. SIMRILL explained the Conference Report.

WEDNESDAY, JUNE 15, 2022

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
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	T. Moore	A. M. Morgan
T. A. Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Robbins
Robinson	Rose	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White

WEDNESDAY, JUNE 15, 2022

Whitmire
Willis

R. Williams
Wooten

S. Williams
Yow

Total--114

Those who voted in the negative are:

Total--0

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

SPEAKER *PRO TEMPORE* IN CHAIR

S. 1106--CONFERENCE REPORT ADOPTED

S. 1106 -- Conference Report

The General Assembly, Columbia, S.C., June 13, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

WEDNESDAY, JUNE 15, 2022

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 5/4/22--H.)

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

/ SECTION 1. It is proposed that Section 36(A), Article III of the Constitution of this State be amended to read:

“(A) The General Assembly shall provide for a General Reserve Fund of ~~five~~ seven percent of the general fund revenue of the latest completed fiscal year. The ~~five~~ seven percent requirement shall be achieved by increasing the percentage requirement by a cumulative one-half of one percent of general fund revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ five percent requirement applied until the percentage of revenue in the General Reserve Fund equals the ~~five~~ seven percent requirement, which shall thereafter be maintained. Funds may be withdrawn from the reserve only for the purpose of covering operating deficits of state government. The General Assembly must provide for the orderly restoration of funds withdrawn from the reserve from future revenues and out of funds accumulating in excess of annual operating expenditures.

(1) The General Assembly shall provide by law for a procedure to survey the progress of the collection of revenue and the expenditure of funds and to authorize and direct reduction of appropriations as may be necessary to prevent a deficit.

(2) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit; and the amount must be restored to the reserve fund within five fiscal years out of future revenues until the ~~five~~ seven percent, or the applicable percentage amount required to be transferred to the General Reserve Fund, is again reached and maintained. Provided that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the ~~five~~ seven percent, or the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

WEDNESDAY, JUNE 15, 2022

“Must Section 36(A), Article III of the Constitution of this State, relating to the General Reserve Fund, be amended so as to provide that the General Reserve Fund of five percent of general fund revenue of the latest completed fiscal year must be increased each year by one-half of one percent of the general fund revenue of the latest completed fiscal year until it equals seven percent of such revenues?”

Yes

No

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

SECTION 3. It is proposed that Section 36(B), Article III of the Constitution of this State be amended to read:

“(B) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to ~~two~~ three percent of the general fund revenue of the latest completed fiscal year.

(1) ~~In any fiscal year in which the General Reserve Fund does not maintain the required percentage of general fund revenue, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the General Reserve Fund. The Capital Reserve Fund’s replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in subsection (A)(2) of this section. After the General Reserve Fund is fully replenished to the required percentage, the monies in the Capital Reserve Fund may be appropriated, except that the Capital Reserve Fund must not be used to offset a midyear budget reduction. The General Assembly must provide by law that if before March first the revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriation for that year, then the current year’s appropriation to the Capital Reserve Fund first must be reduced to the extent necessary before mandating any reductions in operating appropriations.~~

(2) ~~Subsequent to appropriations required by item (1) of this subsection~~ After March first of a fiscal year, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting, but not less

WEDNESDAY, JUNE 15, 2022

than three-fifths of the total membership in each branch for the following purposes:

- (a) to finance in cash previously authorized capital improvement bond projects;
- (b) to retire interest or principal on bonds previously issued;
- (c) for capital improvements or other nonrecurring purposes.

(3)(a) Any appropriation of monies from the Capital Reserve Fund as provided in this subsection must be ranked in priority of expenditure and is effective thirty days after completion of the fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied to the year-end operating deficit before withdrawing monies from the General Reserve Fund.

(b) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in this subsection or any appropriation for a particular project or item which has been reduced due to application of the monies to a year-end deficit must lapse and be credited to the general fund.”

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 36(B), Article III of the Constitution of this State be amended so as to provide that the Capital Reserve Fund of two percent of the general fund revenue of the latest completed fiscal year be increased to three percent of the general fund revenue of the latest completed fiscal year and to provide that the first use of the Capital Reserve Fund must be to offset midyear budget reductions?

Yes

No

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.” /

Amend title to conform.

/s/Sen. Harvey Smith Peeler, Jr.

/s/Sen. Nikki Giles Setzler

/s/Sen. Thomas C. Alexander

On Part of the Senate.

/s/Rep. George Murrell Smith, Jr.

/s/Rep. J. Gary Simrill

/s/Rep. James Todd Rutherford

On Part of the House.

WEDNESDAY, JUNE 15, 2022

Rep. SIMRILL explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	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
McCravy	McDaniel	McGinnis
McKnight	T. Moore	A. M. Morgan
T. A. Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Robbins
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White

WEDNESDAY, JUNE 15, 2022

Whitmire
Willis

R. Williams
Wooten

S. Williams
Yow

Total--111

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. 3696--CONFERENCE REPORT ADOPTED

H. 3696 -- Conference Report

The General Assembly, Columbia, S.C., May 3, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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 14-5-610(B) of the 1976 Code is amended to read:

“(B) One judge must be elected from the ~~second, sixth, and twelfth~~ circuits. Two judges must be elected from the first, second, third, fourth,

WEDNESDAY, JUNE 15, 2022

seventh, eighth, tenth, eleventh, ~~fourteenth, fifteenth,~~ and sixteenth circuits. Three judges must be elected from the fifth, ~~and ninth~~ fourteenth, and fifteenth circuits. Four judges must be elected from the ninth and thirteenth circuit circuits.”

SECTION 2. Section 63-3-40(A) of the 1976 Code is amended to read:

“(A)The General Assembly shall elect a number of family court judges from each judicial circuit as follows:

First Circuit	Three <u>Four</u> Judges
Second Circuit	Two Judges
Third Circuit	Three Judges
Fourth Circuit	Three Judges
Fifth Circuit	Four Judges
Sixth Circuit	Two Judges
Seventh Circuit	Three <u>Four</u> Judges
Eighth Circuit	Three Judges
Ninth Circuit	Six Judges
Tenth Circuit	Three Judges
Eleventh Circuit	Three Judges
Twelfth Circuit	Three Judges
Thirteenth Circuit	Six Judges
Fourteenth Circuit	Three Judges
Fifteenth Circuit	Three Judges
Sixteenth Circuit	Two <u>Three</u> Judges.”

SECTION 3. The Judicial Merit Selection Commission shall begin the process of nominating candidates for the judicial offices authorized by the provisions of SECTIONS 1 and 2. The General Assembly then shall elect these judges from the nominees of the commission; except that, the nominating process may not begin until funding for the additional judges is provided in the general appropriations act.

SECTION 4. This act takes effect upon approval by the Governor. /
Amend title to conform.

/s/Sen. Luke A. Rankin
/s/Sen. Brad Hutto
/s/Sen. Scott Talley
On Part of the Senate.

/s/Rep. G. Murrell Smith, Jr.
/s/Rep. J. Todd Rutherford
/s/Rep. Wm. Weston J. Newton
On Part of the House.

Rep. W. NEWTON explained the Conference Report.

WEDNESDAY, JUNE 15, 2022

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

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

WEDNESDAY, JUNE 15, 2022

Total--108

Those who voted in the negative are:

Total--0

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

S. 560--CONFERENCE REPORT ADOPTED

S. 560 -- Conference Report

The General Assembly, Columbia, S.C., June 6, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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.(A) There is created the Heirs' Property Study Committee to examine current and prospective methods to address heirs' property issues in South Carolina. The study committee shall:

- (1) determine the amount of land in South Carolina that is subject to the heirs' property system;
- (2) study the impacts of federal and state legislation on the partition of the land subject to heirs' property; and
- (3) analyze approaches and methods undertaken by other states to address heirs' property and study if those methods could be applied to South Carolina; and
- (4) determine the costs heirs' property presents to the economic well-being of South Carolina and estimate the benefits of proactive measures taken to address heirs' property.

WEDNESDAY, JUNE 15, 2022

(B) The study committee must be comprised of three members of the Senate appointed by the President of the Senate and three members of the House of Representatives appointed by the Speaker of the House. Staff from the Senate and House of Representatives shall assist the study committee.

(C) The members of the study committee shall seek assistance from governmental agencies and members of the private sector including, but not limited to, the South Carolina State Housing Finance and Development Authority, the Homebuilders Association of South Carolina, the Landowners Association of South Carolina, the South Carolina Association of Habitat for Humanity, the Affordable Housing Coalition of South Carolina, the Realtors Association of South Carolina, the Center for Heirs' Property Preservation, the Municipal Association of South Carolina, and the South Carolina Association of Counties.

(D) The study committee shall provide a report to the General Assembly by December 31, 2022, at which time the study committee shall dissolve.

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Billy Garrett

/s/Sen. Michael Johnson

/s/Sen. John L. Scott, Jr.

On Part of the Senate.

/s/Rep. Brandon Michael Newton

/s/Rep. Wallace H. "Jay" Jordan, Jr.

/s/Rep. Beth E. Bernstein

On Part of the House.

Rep. BERNSTEIN explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 2

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Bernstein	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest

WEDNESDAY, JUNE 15, 2022

Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	K. O. Johnson	Jones
Jordan	King	Kirby
Ligon	Long	Lowe
Magnuson	Matthews	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	T. Moore
A. M. Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Robbins
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Hill May

Total--2

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

WEDNESDAY, JUNE 15, 2022

S. 243--CONFERENCE REPORT ADOPTED

S. 243 -- Conference Report

The General Assembly, Columbia, S.C., June 13, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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 63-7-940(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“(a) the state director or the director’s designee, for the purpose of publicly disclosing findings or information about a prior unfounded case of child abuse or neglect in the preparation and release of reports pursuant to Section 63-7-1990(H), provided that the disclosed information is limited to the following:

- (i) the cause and circumstances regarding the child fatality or near fatality;
- (ii) the age and gender of the child;
- (iii) information describing any previous reports of child abuse or neglect that are pertinent to the abuse or neglect that led to the child fatality or near fatality;
- (iv) information describing any previous investigations pertinent to the abuse or neglect that led to the child fatality or near fatality;
- (v) the result of any such investigations; and
- (vi) the services provided by the State and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the child fatality or near fatality.

WEDNESDAY, JUNE 15, 2022

(b) The department may delay public disclosure of findings or information pursuant to this item if the disclosure of the findings or information would threaten the safety or well-being of a child or the child's family, or if disclosure of the findings or information would impede a criminal investigation or endanger a reporter of abuse or neglect."

SECTION 2. Section 63-7-1990(H) of the 1976 Code is amended to read:

"(H)(1) The state director or the director's designee is authorized to prepare and release reports of the results of the department's investigations into the deaths of children in its custody or receiving child welfare services at the time of death cases of child abuse or neglect which have resulted in a child fatality or near fatality provided that the disclosed information is limited to the following:

(a) the cause and circumstances regarding the child fatality or near fatality;

(b) the age and gender of the child;

(c) information describing any previous reports of child abuse or neglect that are pertinent to the abuse or neglect that led to the child fatality or near fatality;

(d) information describing any previous investigations pertinent to the abuse or neglect that led to the child fatality or near fatality;

(e) the result of any such investigations; and

(f) the services provided by the State and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the child fatality or near fatality.

(2) The department may delay public disclosure of a report pursuant to this subsection if the disclosure of the report would threaten the safety or well-being of a child or the child's family, or if disclosure of the report would impede a criminal investigation or endanger a reporter of abuse or neglect."

SECTION 3. Section 63-7-20 of the 1976 Code, as last amended by Act 24 of 2021, is further amended by adding an appropriately numbered item to read:

"() 'Near fatality' means an act of abuse or neglect that, as certified by a physician, places a child in serious or critical condition."

SECTION 4. This act takes effect upon approval by the Governor. / Amend title to read:

/ TO AMEND SECTION 63-7-940, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS

WEDNESDAY, JUNE 15, 2022

TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO CHILDREN'S CODE DEFINITIONAL TERMS, SO AS TO ADD A DEFINITION FOR "NEAR FATALITY". /

/s/Sen. Tom Young, Jr.	/s/Rep. Beth E. Bernstein
/s/Sen. Katrina Frye Shealy	/s/Rep. Neal Anthony Collins
/s/Sen. J. Thomas McElveen III	/s/Rep. Sylleste H. Davis
On Part of the Senate.	On Part of the House.

Rep. BERNSTEIN explained the Conference Report.

The yeas and nays were taken resulting as follows:
Yeas 108; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
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	Huggins
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Magnuson

WEDNESDAY, JUNE 15, 2022

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

Total--108

Those who voted in the negative are:

Total--0

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

S. 202--CONFERENCE REPORT ADOPTED

S. 202 -- Conference Report

The General Assembly, Columbia, S.C., May 31, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

WEDNESDAY, JUNE 15, 2022

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

/ SECTION 1. Chapter 6, Title 1 of the 1976 Code is amended by adding:

“Section 1-6-35. (A) The State Inspector General may only initiate, supervise, and coordinate an investigation of a public school, public school district, public charter school, public charter school authorizer, or voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for public secondary schools in the State upon the request of:

- (1) the Governor;
- (2) the State Superintendent of Education; or
- (3) the majority of the membership of the legislative delegation of the county in which the subject of the investigation is located, as determined by a weighted vote of that delegation.

(B) A request to investigate pursuant to this section must be transmitted in writing to the Office of the Inspector General. The request for the investigation must articulate the basis of any alleged wrongdoing.

(C) Any report generating recommendations from the Inspector General regarding investigations conducted pursuant to this section must be transmitted to the State Superintendent of Education, the appropriate legislative delegation, and the chairman of the local board of trustees or the chairman of the charter school authorizer.

(D) By December thirty-first of each year, the Inspector General shall report to the General Assembly the number of requests for investigations that the office has received, the number of investigations requested by each individual or entity making the request, and the status of those requests.

(E) Any information relating to the investigation initiated by the Inspector General shall remain confidential for a period not to exceed ten days after the report is finalized and published.”

SECTION 2. Section 1-6-10(1) of the 1976 Code is amended to read:

“(1) ‘Agency’ means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive department of state government, including administrative bodies and bodies. ~~‘Agency’ includes a body~~ corporate and politic established as an instrumentality of the State. For the purpose of this chapter, ‘Agency’ also includes public schools, public school districts, public charter schools, public charter school authorizers, and any voluntary association that establishes and enforces bylaws or rules for

WEDNESDAY, JUNE 15, 2022

interscholastic sports competition for public secondary schools in the State. 'Agency' does not include:

- (a) the judicial department of state government;
- (b) ~~quasi-judicial~~ quasi-judicial bodies of state government;
- (c) the legislative department of state government; or
- (d) political subdivisions, unless otherwise provided herein."

SECTION 3. This act takes effect upon approval by the Governor. / Amend title to conform.

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-6-35 SO AS TO PROVIDE UNDER WHAT CIRCUMSTANCES THE STATE INSPECTOR GENERAL MAY INVESTIGATE CERTAIN SCHOOLS; AND TO AMEND SECTION 1-6-10, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, SO AS TO DEFINE NECESSARY TERMS.

/s/Sen. Greg Hembree

/s/Rep. Beth E. Bernstein

/s/Sen. Tom Young, Jr.

/s/Rep. Micajah P. "Micah" Caskey IV

/s/Sen. Brad Hutto

/s/Rep. Neal Anthony Collins

On Part of the Senate.

On Part of the House.

Rep. COLLINS explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

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

WEDNESDAY, JUNE 15, 2022

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

Total--105

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. 4776--CONFERENCE REPORT ADOPTED

H. 4776 -- Conference Report

The General Assembly, Columbia, S.C., June 14, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4776 -- Reps. Willis, McCrary, 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,

WEDNESDAY, JUNE 15, 2022

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 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.

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 may be known and cited as the “Medical Ethics and Diversity Act”.

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

“CHAPTER 139

Medical Ethics and Diversity Act

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

(B) Despite its preeminent importance, however, threats to the right of conscience of medical practitioners, health care institutions, and health care payers have become increasingly more common and severe in recent years. The swift pace of scientific advancement and the expansion of medical capabilities, along with the mistaken notion that medical practitioners, health care institutions, and health care payers are

WEDNESDAY, JUNE 15, 2022

mere public utilities, promise only to make the current crisis worse, unless something is done to restore conscience to its rightful place.

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

(D) As the right of conscience is fundamental, no medical practitioner, health care institutions, and health care payers should be compelled to participate in or pay for any medical procedure or prescribe or pay for any medication to which the practitioner or entity objects on the basis of conscience, whether such conscience is informed by religious, moral, or ethical beliefs or principles.

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

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

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

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

- (a) any violation of any law, rule, or regulation;
- (b) any violation of any standard of care or other ethical guidelines for the provision of any health care service; or
- (c) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(3) ‘Discrimination’ means any adverse action taken against, or any threat of adverse action communicated to, any medical practitioner, health care institutions, and health care payers as a result of the practitioner’s or entity’s decision to decline to participate in a health care service on the basis of conscience. Discrimination includes, but is not

WEDNESDAY, JUNE 15, 2022

limited to, termination of employment; demotion from current position; adverse administrative action; increased administrative duties; refusal of staff privileges; refusal of board certification; loss of career specialty; reduction of wages, benefits, or privileges; refusal to award a grant, contract, or other program; refusal to provide residency training opportunities; denial, deprivation, or disqualification of licensure; withholding or disqualifying from financial aid and other assistance; impediments to creating any health care institution or payer or expanding or improving said health care institution or payer; impediments to acquiring, associating with, or merging with any other health care institution or payer; the threat thereof with regard to any of the preceding; or any other penalty, disciplinary, or retaliatory action, whether executed or threatened. For the purposes of this chapter, 'discrimination' does not include reassignment to a comparable role for which the employee is duly qualified, if under the same working conditions and without pecuniary impact to the practitioner.

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

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

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

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

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

WEDNESDAY, JUNE 15, 2022

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

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

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

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

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

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

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

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

WEDNESDAY, JUNE 15, 2022

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

(G) A medical practitioner exercising his right of conscience to abstain from providing certain health care services pursuant to this chapter may, at his sole discretion and if requested by the patient or legal representative of the patient:

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

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

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

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

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

(4) refused to participate in an abortion.

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

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

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

WEDNESDAY, JUNE 15, 2022

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

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

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

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

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

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

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

(C) If the State Human Affairs Commission does not remedy a complaint, then a health care practitioner, health care institution, or health care payer may file suit for injunctive relief, damages, and reasonable attorney's fees in a court of competent jurisdiction. If the notice provisions of Section 44-139-90 are violated, then the patient may file suit for injunctive relief, damages, and reasonable attorney's fees in a court of competent jurisdiction.

Section 44-139-60. The licensing and regulation of medical practitioners and the provision of health care services, as defined in Section 44-139-20, is expressly preempted by the State. A county,

WEDNESDAY, JUNE 15, 2022

municipality, or other political subdivision may not adopt or enforce an ordinance, resolution, rule, or policy that restricts, limits, controls, directs, or otherwise interferes with the type and scope of health care services provided by a medical practitioner or the professional conduct and judgment of a medical practitioner when providing health care services.

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

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

Section 44-139-90. The contract, policy, or other documentation executed between a health care payer and a person that requires the health care payer to pay for or arranges for the payment of any health care services provided to the person must contain a statement in bold type face providing the person with notice that some health care services may not be provided by the health care payer because the provision of those services violates the health care payer's conscience as defined in Section 44-139-20(1). The notice must further provide that a list of the health care services that the health care payer will not pay for or arrange payment for may be found on the health care payer's website or otherwise be made available to the person upon request."

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

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

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

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

WEDNESDAY, JUNE 15, 2022

any person whose employment or affiliation with a hospital or clinic has been altered or terminated in violation of this chapter.

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

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

SECTION 5. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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

WEDNESDAY, JUNE 15, 2022

INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO ALLOW MEDICAL PRACTITIONERS AND HEALTH CARE INSTITUTIONS TO FILE A COMPLAINT WITH THE STATE HUMAN AFFAIRS COMMISSION FOR AN ALLEGED VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-41-55, RELATING TO THE RIGHT OF CERTAIN MEDICAL PROVIDERS NOT TO PARTICIPATE IN ABORTION PROCEDURES, SO AS ALSO TO APPLY TO MEDICAL STUDENTS.

/s/Sen. Brad Hutto	/s/Rep. Jackie "Coach" Hayes
/s/Sen. Lawrence Kelly "Larry" Grooms	/s/Rep. Mark Nye Willis
/s/Sen. Josh Kimbrell	/s/Rep. John R. McCravy III
On Part of the Senate.	On Part of the House.

Rep. MCCRAVY explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 76; Nays 31

Those who voted in the affirmative are:

Atkinson	Bailey	Bannister
Bennett	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hayes	Herbkersman
Hewitt	Hill	Hiott
Hixon	Huggins	Hyde
J. E. Johnson	Jones	Jordan
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McGarry	McGinnis
McKnight	T. Moore	A. M. Morgan

WEDNESDAY, JUNE 15, 2022

T. A. Morgan	D. C. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Trantham	West	White
Whitmire	Willis	Wooten
Yow		

Total--76

Those who voted in the negative are:

Anderson	Bernstein	Clyburn
Cobb-Hunter	Dillard	Garvin
Gilliard	Hart	Henderson-Myers
Henegan	Hosey	Jefferson
K. O. Johnson	King	Kirby
Matthews	McDaniel	Murray
Parks	Pendarvis	Rivers
Robinson	Rose	Rutherford
Stavrinakis	Tedder	Thigpen
Weeks	Wetmore	R. Williams
S. Williams		

Total--31

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

H. 4775--CONFERENCE REPORT ADOPTED

H. 4775 -- Conference Report

The General Assembly, Columbia, S.C., May 26, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

WEDNESDAY, JUNE 15, 2022

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.

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. 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.

WEDNESDAY, JUNE 15, 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

WEDNESDAY, JUNE 15, 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

WEDNESDAY, JUNE 15, 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.~~

WEDNESDAY, JUNE 15, 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~~

WEDNESDAY, JUNE 15, 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.

~~(11)~~(14) 'Manufacture'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

WEDNESDAY, JUNE 15, 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:

WEDNESDAY, JUNE 15, 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

WEDNESDAY, JUNE 15, 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 waste 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, and prepared for transport from, the program collection sites and one-day collection events included in the program during the program year; and

WEDNESDAY, JUNE 15, 2022

(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.

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

WEDNESDAY, JUNE 15, 2022

(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 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;

WEDNESDAY, JUNE 15, 2022

(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, 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

WEDNESDAY, JUNE 15, 2022

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.

(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.

WEDNESDAY, JUNE 15, 2022

(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.

(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

WEDNESDAY, JUNE 15, 2022

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) 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.

(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:

WEDNESDAY, JUNE 15, 2022

(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 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

WEDNESDAY, JUNE 15, 2022

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 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.

WEDNESDAY, JUNE 15, 2022

(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.

WEDNESDAY, JUNE 15, 2022

(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 two 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 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

WEDNESDAY, JUNE 15, 2022

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 this section.

(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 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,

WEDNESDAY, JUNE 15, 2022

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.

(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.

WEDNESDAY, JUNE 15, 2022

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.

Section 48-60-141. (A) By November 1, 2022, and by November first 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

WEDNESDAY, JUNE 15, 2022

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 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;

WEDNESDAY, JUNE 15, 2022

(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), 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 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.

WEDNESDAY, JUNE 15, 2022

(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).

(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.

(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:

WEDNESDAY, JUNE 15, 2022

(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 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,

WEDNESDAY, JUNE 15, 2022

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 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 nonhazardous waste landfills or to nonhazardous 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.

WEDNESDAY, JUNE 15, 2022

(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:

(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.

WEDNESDAY, JUNE 15, 2022

(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 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.

WEDNESDAY, JUNE 15, 2022

(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~~

~~(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~~

WEDNESDAY, JUNE 15, 2022

~~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 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~~

WEDNESDAY, JUNE 15, 2022

~~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.

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 3. This act takes effect upon approval by the Governor. / Amend title to conform.

WEDNESDAY, JUNE 15, 2022

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 PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH PROGRAMS, INCLUDING POPULATION-BASED COUNTY COLLECTION SITE STANDARDS; TO REQUIRE MANUFACTURERS TO REGISTER WITH AND SUBMIT AN ANNUAL MANUFACTURER ELECTRONIC WASTE PROGRAM PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES TO ACT ON BEHALF OF CERTAIN MANUFACTURERS; TO ESTABLISH CERTAIN REQUIREMENTS FOR COLLECTORS AND RECOVERERS; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE CIVIL AND CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE CHAPTER; 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.

/s/Sen. Scott Talley

/s/Sen. Josh Kimbrell

/s/Sen. Vernon Stephens

On Part of the Senate.

/s/Rep. William M. "Bill" Hixon

/s/Rep. Cally R. "Cal" Forrest, Jr.

/s/Rep. Lucas Atkinson

On Part of the House.

Rep. HIXON explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Anderson

Bamberg

Bernstein

Brittain

Atkinson

Bannister

Blackwell

Bryant

Bailey

Bennett

Bradley

Burns

WEDNESDAY, JUNE 15, 2022

Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	K. O. Johnson	Jones
Jordan	King	Kirby
Ligon	Long	Lowe
Magnuson	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
T. Moore	A. M. Morgan	T. A. Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robbins	Robinson	Rose
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--109

Those who voted in the negative are:

Total--0

WEDNESDAY, JUNE 15, 2022

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

H. 3055--CONFERENCE REPORT ADOPTED

H. 3055 -- Conference Report

The General Assembly, Columbia, S.C., May 26, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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 OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF

WEDNESDAY, JUNE 15, 2022

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.

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 48-22-40 of the 1976 Code, as last amended by Act 75 of 2019, is further amended by adding an appropriately numbered item at the end to read:

“() shall conduct topographic mapping using light detection and ranging (LiDAR) data collections by December 31, 2022, and at least every seven years thereafter. The information must be shared with the South Carolina Department of Natural Resources Flood Mitigation Program to ensure compliance with Federal Emergency Management Agency guidelines and standards for flood risk analysis and mapping activities under the Risk Mapping, Assessment, and Planning Program. The unit is authorized to work with local, state, and federal governmental entities in South Carolina to complete the topographic mapping and share the results of the topographic mapping with these agencies. The unit shall work with the Flood Mitigation Program to publish the results

WEDNESDAY, JUNE 15, 2022

to the public on the Department of Natural Resources' website. The provisions of this item may only be enforced when the General Assembly appropriates the necessary funding for the topographic mapping in the general appropriations act."

SECTION 2. 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 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 48-4-70 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."

C. 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

WEDNESDAY, JUNE 15, 2022

fishing shall not be allowed on any lands under the control or ownership of the State Commission of Forestry except by written agreement with 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.”

D. 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.”

E. 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.”

F. 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.”

G. 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

WEDNESDAY, JUNE 15, 2022

an officer who holds another public office. The Secretary of State shall transmit to the director the commissions of all officers.

(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.~~

H. 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."

I. 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."

J. 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

WEDNESDAY, JUNE 15, 2022

department shall ~~by regulation~~ provide for the form, administration, and use of warning tickets authorized by this section.”

K. Section 50-15-10(2)(e) of the 1976 Code is 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.”

L. 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.”

WEDNESDAY, JUNE 15, 2022

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor. /
Amend title to conform.

TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING BY DECEMBER 31, 2022, AND AT LEAST EVERY SEVEN YEARS THEREAFTER, AND TO SHARE THE INFORMATION WITH THE DEPARTMENT'S FLOOD MITIGATION PROGRAM; TO AMEND SECTION 48-4-10, 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 48-4-70, 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

WEDNESDAY, JUNE 15, 2022

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 50-15-10, 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, AS AMENDED, 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.

/s/Sen. George E. "Chip" Campsen III	/s/Rep. William M. "Bill" Hixon
/s/Sen. David Wesley "Wes" Climer	/s/Rep. Cally R. "Cal" Forrest, Jr.
/s/Sen. Vernon Stephens	/s/Rep. Lucas Atkinson
On Part of the Senate.	On Part of the House.

Rep. HIXON explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Atkinson	Bailey	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter

WEDNESDAY, JUNE 15, 2022

Collins	B. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	T. Moore	A. M. Morgan
T. A. Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pope	Rivers
Robbins	Robinson	Rose
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--101

Those who voted in the negative are:

Total--0

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

WEDNESDAY, JUNE 15, 2022

RECORD FOR VOTING

I supported passage of H. 3055 as it implements recommendations from the House Legislative Oversight Committee's Study of the Department of Natural Resources.

Rep. Wm. Weston J. Newton

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 2022

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Hutto, Campsen and McElveen of the Committee of Free Conference on the part of the Senate on H. 3056:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY

WEDNESDAY, JUNE 15, 2022

REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Very respectfully,
President
Received as information.

H. 3056--FREE CONFERENCE POWERS GRANTED

Rep. HIXON moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

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

WEDNESDAY, JUNE 15, 2022

Those who voted in the affirmative are:

Anderson	Bailey	Bamberg
Bannister	Bernstein	Blackwell
Brittain	Bryant	Burns
Bustos	Calhoon	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Haddon	Hardee
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	Magnuson	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
T. Moore	A. M. Morgan	T. A. Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Ott	Pope
Rivers	Robbins	Robinson
Rose	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--101

Those who voted in the negative are:

Total--0

WEDNESDAY, JUNE 15, 2022

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. FORREST, HIXON and ATKINSON to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

H. 3056--FREE CONFERENCE REPORT ADOPTED

H. 3056 -- Free Conference Report

The General Assembly, Columbia, S.C., June 15, 2022

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

WEDNESDAY, JUNE 15, 2022

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. A. Sections 50-19-210 through 50-19-240 and 50-19-1710 through 50-19-1730 of the 1976 Code are repealed. Articles 1, 3, 17, 19, 21, Chapter 19, Title 50, and Article 23, Chapter 13, Title 51 of the 1976 Code are repealed.

B. Article 5, Chapter 19, Title 50 is redesignated as "Slade Lake Fishing".

C. Article 29, Chapter 19, Title 50 is redesignated as "Fishing and Hunting in Lake Wateree".

SECTION 2. This act takes effect upon approval by the Governor. / Amend title to conform.

/s/Sen. Brad Hutto

/s/Rep. Cally R. "Cal" Forrest, Jr.

/s/Sen. George E. "Chip" Campsen III

/s/Rep. William M. "Bill" Hixon

/s/Sen. J. Thomas McElveen III

/s/Rep. Lucas Atkinson

On Part of the Senate.

On Part of the House.

Rep. HIXON explained the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

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

WEDNESDAY, JUNE 15, 2022

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

Total--106

Those who voted in the negative are:

Total--0

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

RECORD FOR VOTING

I supported passage of H. 3056 as it implements recommendations from the House Legislative Oversight Committee's Study of the Department of Natural Resources.

Rep. Wm. Weston J. Newton

WEDNESDAY, JUNE 15, 2022

S. 935--CONFERENCE REPORT ADOPTED

S. 935 -- Conference Report

The General Assembly, Columbia, S.C., June 14, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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 may be cited and referred to as the "Put Parents in Charge Act".

SECTION 2. Title 59 of the 1976 Code is amended by adding:

 "CHAPTER 8

 Education Scholarship Trust Fund

Section 59-8-110. For purposes of this chapter:

(1) 'Department' means the South Carolina Department of Education.

(2) 'Education Scholarship Trust Fund', 'ESTF', or 'fund' means the individual account that is administered by the department to which funds are allocated to the parent of an eligible student to pay for qualifying expenses.

(3) 'Eligible school' means a South Carolina public school or an independent school that chooses to participate in the program. An eligible school does not include charter schools.

(4) 'Eligible student' or 'qualifying student' means a student who:

(a) is a resident of this State;

WEDNESDAY, JUNE 15, 2022

(b) enrolled in the Children's Health Insurance Program (CHIP) or Medicaid or is a member of a household with an income at or below the South Carolina upper income limit for CHIP; and

(i) is entering kindergarten or first grade;

(ii) was previously enrolled in and attended a South Carolina public school during one of the three school years immediately preceding the school year in which the student would be enrolled under this program;

(iii) received a scholarship pursuant to this chapter for the previous school year; or

(iv) has a sibling living in the same household who receives a scholarship pursuant to this chapter.

(c) Students participating in the Educational Credit for Exceptional Needs Children's Fund program as provided in Section 12-6-3790 are not considered to be qualifying students for the purposes of this chapter.

(d) A qualifying student also includes up to five hundred students whose parent is an active duty member of the Armed Forces of the United States.

(e) A qualifying student also includes up to five hundred students that are entering kindergarten and were enrolled in the South Carolina Early Reading Development and Education program in the immediately previous school year.

(5) 'IDEA' means the Individuals with Disabilities Education Act found in 20 U.S.C. Section 1400, et seq.

(6) 'Independent school' means a school, other than a public school at which the compulsory attendance requirements of Section 59-65-10 may be met and:

(a) does not unlawfully discriminate in the admissions process on the basis of race, color, sex, religion, or national origin with the exception that schools serving a single sex may participate provided they meet all other requirements;

(b) is located in this State;

(c) has an educational curriculum that includes courses set forth in the state's diploma requirements, and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress; and

(d) has school facilities that are subject to applicable federal, state, and local laws.

WEDNESDAY, JUNE 15, 2022

(7) 'Parent' means a resident of this State who is the natural or adoptive parent, legal guardian, custodian, or other person with legal authority to act on behalf of an eligible student.

(8) 'Education service provider' means an eligible school or organization approved by the department that receives payments from ESTF to provide educational goods and services to scholarship students.

(9) 'Program' means the ESTF program created by this chapter.

(10) 'Resident school district' means the public school district in which the student is domiciled.

(11) 'Scholarship' means education funding allocated from an account established pursuant to this chapter.

(12) 'Scholarship student' means an eligible student who is participating in the Education Scholarship Trust Fund program.

(13) 'Substantial misuse' means willfully and knowingly receiving or spending any portion of a scholarship for any purpose other than a qualifying expense.

(14) 'Qualifying expense' means:

(a) tuition and fees of an education service provider;

(b) textbooks, curricula, or other instructional materials including, but not limited to, any supplemental materials or associated online instruction required by either a curriculum or an education service provider;

(c) computer hardware or other technological devices that are used primarily for a scholarship student's educational needs and approved by the department or a licensed physician;

(d) tuition and fees for an approved nonpublic online education service provider or course;

(e) fees for approved:

(1) national norm-referenced examinations, advanced placement examinations, or similar assessments;

(2) industry certification exams; or

(3) examinations related to college or university admission;

(f) educational services for pupils with disabilities from a licensed or accredited practitioner or provider including, but not limited to, occupational, behavioral, physical, and speech-language therapies;

(g) approved contracted services from a public school district, including individual classes, after school tutoring services, transportation, or fees or costs associated with participation in extracurricular activities; or

(h) fees for transportation paid to a fee-for-service transportation provider for the scholarship student to travel to and from

WEDNESDAY, JUNE 15, 2022

an eligible provider as defined in this section, but not to exceed seven hundred fifty dollars for each school year.

Section 59-8-115. (A) The department shall create a standard application process and establish the timeline for parents to establish the eligibility of their student for the Education Scholarship Trust Fund program. The application window established shall last at least forty-five days, opening no earlier than January fifteenth and closing no later than March fifteenth each calendar year.

(B) Pursuant to the timeline established pursuant to subsection (A), the department shall:

(1) use a lottery system to award scholarships in the event the number of eligible students exceeds five thousand by the deadline. Students already participating in the program are automatically approved for participation in the immediate subsequent year; and

(2) enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation.

(C)(1) Before awarding a scholarship, the department shall document the student's eligibility with the following documentation:

(a) a card issued in the student's name from the Department of Health and Human Services for Medicaid eligibility or Children's Health Insurance Program (CHIP) eligibility;

(b) other documentation as the department may require to demonstrate that the family income is equal to the poverty level of Medicaid eligibility;

(c) a record to provide that the student's parent is an active member of the Armed Forces of the United States; or

(d) documentation that the child was enrolled in the South Carolina Early Reading Development and Education program.

(2) Before awarding a scholarship, the department shall have obtained evidence of the student's eligibility through the card issued in the student's name from the Department of Health and Human Services for Medicaid eligibility included as applicable with application documentation.

(D) The department shall approve an application for scholarship if:

(1) the parent submits an annual application for a scholarship in accordance with the application and procedures established by the department;

(2) the student on whose behalf the parent is applying is an eligible student;

(3) funds are available for the ESTF; and

(4) the parent signs an annual agreement with the department:

WEDNESDAY, JUNE 15, 2022

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

(b) to acknowledge and agree to comply with the education service provider's prescribed curriculum, dress code, and other requirements of enrolled students;

(c) to ensure the scholarship student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the scholarship student does not receive full-time instruction from an education service provider;

(d) to use program funds for qualifying expenses only for an approved provider to educate the scholarship student, subject to penalty;

(e) not to enroll their scholarship student in a public school as a full-time student in the resident school district, as defined in this chapter;

(f) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;

(g) that includes documentation of the consultation process between the parent, the resident school district, the education service provider, and any school district that the education service provider contracts with under an IEP or services plan, for each scholarship student with a disability regarding the special education and related services, and the manner by which these services as listed in the student's IEP or services plan, will be provided to a scholarship student with a disability.

(h) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ESTF program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

(E) The department shall make available on its website in a conspicuous location information in conformity with 34 C.F.R Sections 300.130 through 300.144, Assistance to States for the Education of Children with Disabilities, explaining to parents the rights of children with disabilities under IDEA both in public schools and as parentally placed students in private schools.

(F) A parent will be allowed to make payments for the cost of educational goods and services not covered by the funds in their student's ESTF; however, personal deposits into an ESTF account are prohibited.

WEDNESDAY, JUNE 15, 2022

(G) Funds received pursuant to this section do not constitute taxable income to the parent of the scholarship student or to the student.

(H) A parent's signed agreement under subsection (D)(4) satisfies the state's compulsory attendance law pursuant to Section 59-65-10.

(I) The State Board of Education shall promulgate regulations for the administration of the program as may be applicable.

(J) The department may contract with qualified organizations to administer the program application process or specific functions, maintenance, and monitoring of the program application process as required above.

Section 59-8-120. (A) There is established at the department, the 'South Carolina Education Scholarship Trust Fund' that is separate and distinct from the general fund, consisting of monies appropriated to the department to provide scholarships to eligible students for qualifying expenses. The fund must receive and hold all monies allocated for it as well as all earnings until disbursed as provided in this section.

(B) The department shall administer the fund and is responsible for keeping records, managing accounts, and disbursing scholarships awarded pursuant to this section and as directed by the parent.

(C) There is allocated seventy-five million dollars from the contingency reserve fund to the South Carolina Education Scholarship Trust Fund to be used as described in this act. In the first year in which the account is funded, scholarships may be awarded in an amount not exceeding five thousand dollars to a qualifying student.

(D) The department shall create an individual online ESTF account for each scholarship student.

(1) The parent must be able to access the individual online account for the scholarship student using a secure portal.

(2) The individual scholarship student's account must be created within thirty days of the application approval.

(E) The department shall make payments to an individual scholarship student's account from the ETSF on a quarterly basis with the first payment being distributed by July thirty-first of each year.

(F) By September first of each school year and again on January fifteenth and March fifteenth of the school year, the department shall compare the list of scholarship students with the public school enrollment lists to avoid duplicate payments.

(G) Education service providers may not refund, rebate, or share a student's scholarship funds directly with a parent or the scholarship student. The funds in an account may only be used for qualifying expenses as defined in this chapter and provided by the department.

WEDNESDAY, JUNE 15, 2022

(H) The department may contract with qualified organizations to administer the program.

Section 59-8-125. (A) The department shall develop an online electronic system for payment for services authorized by participating parents pursuant to this chapter and the guidelines provided by the department. Parents may not be reimbursed for out-of-pocket expenses.

(B) The department may contract with qualified vendors to manage accounts and shall establish reasonable fees for private financial management firms participating in the program based upon market rates.

(C) The department may contract with qualified organizations to administer the program or specific functions of the program.

(D) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school district, or a scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school district is considered to have returned to a public school for the purpose of determining the end of the term.

(E) The department may suspend or deactivate an account for substantial misuse or the scholarship student leaves the program for any reason, at which time any remaining funds must revert to the ESTF.

(F) Unused funds must be rolled over to the following school year for a scholarship student who applies and continues to meet eligibility requirements to participate in the program.

(G) A scholarship terminates automatically if the student is no longer domiciled in this State, and any money remaining in the account reverts to the ESTF.

(H) Only one account may be established for a scholarship student.

Section 59-8-130. If a scholarship student's program of academic instruction is terminated for any reason before the end of the semester or school year and the student does not resume instruction within thirty days, then the parent shall notify the department and remaining funds in the account reverts to the ESTF.

Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

(1) in School Year 2023-2024, the program is limited to five thousand scholarship students;

(2) in School Year 2024-2025, the program is limited to five thousand scholarship students;

WEDNESDAY, JUNE 15, 2022

(3) in School Year 2025-2026, the program is limited to five thousand scholarship students; and

(4) for all subsequent school years, the program is limited to fifteen thousand scholarship students.

(B) In 2026, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program.

Section 59-8-140. (A)(1) The department must develop an application approval process for participation in the ESTF program for education service providers.

(2) The department must require an independent school that applies to be an education service provider to be located in the State, to have an educational curriculum that includes courses set forth in the state's diploma requirements, and to meet the compulsory attendance and State Board of Education approval requirements in Section 59-65-10.

(3) An education service provider that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department. The education service provider reapplying shall certify to the department that it continues to meet all program requirements. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

(4) By February first of each year, the department will certify the list of approved education service providers for participation in the program that meet all program requirements. The department may waive the deadline requirement upon good cause shown by an education service provider.

(5) An education service provider that is denied approval pursuant to this section may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

(6) By February fifteenth of each year, the department shall publish on its website a comprehensive list of approved education service providers. The list must include the name, address, telephone number, and website address for each education service provider.

(B) If approved by the department, new education service providers may be added to the list of approved providers on a rolling basis. The

WEDNESDAY, JUNE 15, 2022

providers will be added to the comprehensive list available on the department's website.

(C) The department may bar an education service provider from the program if the department establishes that the education service provider has:

(1) failed to comply with the accountability standards established in this section; or

(2) failed to provide the scholarship student with the educational services funded by the account.

(D) The department shall create procedures to ensure that a fair process exists to determine whether an education service provider should be barred from receiving payments from accounts.

(1) If the department decides to bar an education service provider from the program, it shall notify affected students and their parents of this decision as quickly as possible.

(2) Education service providers may appeal the department's decision to bar the education service provider from receiving payments from accounts pursuant to the Administrative Procedures Act.

(E) The State Board of Education shall promulgate regulations to allow scholarship students to return to their resident school districts during the course of their participation in the program.

Section 59-8-145. (A) The department shall adopt procedures to inform students and their parents annually of their eligibility for the program.

(B) The department shall adopt procedures to annually inform scholarship students and their parents of the approved education service providers.

(C) The department shall provide to parents of a scholarship student written instructions for the allowable uses of an account and the responsibilities of parents and the duties of the department.

(D) The department may declare that a parent is ineligible for continuation in the program due to substantial misuse of their account funds.

(E) The department may conduct or contract for the auditing of accounts and shall, at a minimum, conduct random audits of accounts on an annual basis.

(F) The department may refer cases of substantial misuse of funds to law enforcement agencies for investigation.

(G) The department may contract with one or more qualified organizations to administer some or all portions of this program.

WEDNESDAY, JUNE 15, 2022

(H) The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each year, and the number of students not accepted into the program each year with a corresponding explanation as to why the student was not accepted into the program. The department shall compile this information and provide a report to the General Assembly by December thirty-first of each year.

Section 59-8-150. (A) To ensure equitable treatment and personal safety of all scholarship students, all education service providers shall:

- (1) comply with all applicable health and safety laws or codes;
- (2) hold a valid occupancy permit if required by the municipality in which the education service provider is located;
- (3) conduct criminal background checks on employees and exclude from employment anyone who:
 - (a) is not permitted by state law to work in a school;
 - (b) reasonably might pose a threat to the safety of students; or
 - (c) is listed on federal, state, or other central child abuse registries.

(B) To ensure that funds are spent appropriately, all education service providers shall provide parents with a receipt for all qualifying expenses.

(C)(1) In order to allow parents and the public to measure the achievements of the program, academic progress must be documented annually for each scholarship student.

(2) The department, or the appropriate organization chosen by the department, if any, must be informed of the scholarship student's graduation from high school.

(D) The department shall:

- (1) comply with all student privacy laws;
- (2) collect all test results;
- (3) annually provide individual student assessment results and information to the Education Oversight Committee. The transmission of the information must be made in a manner that safeguards the data to ensure student privacy.

(E) The Education Oversight Committee shall:

- (1) comply with all student privacy laws;
- (2) report on and publish associated learning gains and graduation rates to the public by means of a state website with data aggregated by grade level, gender, family income level, number of years participating in the program, and race and a report for any participating school if at least fifty-one percent of the total enrolled students in the private school participated in the ESTF program in the prior school year or if there are

WEDNESDAY, JUNE 15, 2022

at least thirty participating students who have scores for tests administered. If the Education Oversight Committee determines that the thirty participating-student cell size may be reduced without disclosing the personally identifiable information of a participating student, the Education Oversight Committee may reduce the participating-student cell size, but the cell size may not be reduced to fewer than ten participating students;

(3) evaluate and report the academic performance of scholarship students compared to similar public school populations; and

(4) collaborate with the department to develop and administer an annual parental satisfaction survey for all parents of scholarship students on issues relevant to the ESTF program, to include effectiveness and length of the program participation. Results of this survey must be provided to the General Assembly by December thirty-first of each year.

(F) An education service provider, not a public school, is autonomous and not an agent of the State or federal government, therefore:

(1) the department or any other state agency may not regulate the educational program of an approved education provider that accepts funds from an account;

(2) the creation of the program does not expand the regulatory authority of the State, its officers, or a school district to impose regulation of education service providers beyond those necessary to enforce the requirements of the program;

(3) the freedom of education service providers to provide for the educational needs of scholarship students without governmental control must not be abridged;

(4) an education service provider that accepts payment by a parent from an ESTF account pursuant to this chapter is not an agent of the State or federal government; and

(5) education service providers shall not be required to alter their creeds, practices, admissions policies, or curricula in order to accept payments by a parent from an ESTF account.

Section 59-8-155. The scholarship student's resident school district shall provide a parent and the education service provider designated by the parent with a complete copy of the student's school records, while complying with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1232(g).

Section 59-8-160. (A) There is created the 'ESTF Review Panel' that shall serve as an advisory panel to the department.

WEDNESDAY, JUNE 15, 2022

(B) The review panel shall consist of ten members, pursuant to the following:

- (1) the Governor or his designee, who shall serve as the chair of the panel;
- (2) three members to be appointed by the Governor;
- (3) one member appointed by the Speaker of the House of Representatives;
- (4) one member appointed by the President of the Senate;
- (5) one member appointed by the Chairman of the House of Representatives Education and Public Works Committee;
- (6) one member appointed by the Chairman of the Senate Education Committee; and
- (7) two parents of scholarship students to be appointed by the Governor.

(C) The review panel may advise the department on whether certain expenses meet the requirements to be considered a qualified expense under this chapter when requested by the department. The review panel periodically may make recommendations to the General Assembly about improving the program.

(D) Members shall serve at the pleasure of their appointing authority. In making appointments to the panel, the appointing authorities, as appropriate, shall consider legal, financial, accounting, and marketing experience and race, gender, and other demographic factors to ensure nondiscrimination, inclusion, and representation of all segments of the State to the greatest extent possible.

(E) Members may not receive mileage or per diem.

Section 59-8-165. The provisions of the chapter do not restrict a school district's ability to enact or enforce a district's student transfer policy."

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect thirty days after approval by the Governor, provided that upon approval of this act by the Governor, the

WEDNESDAY, JUNE 15, 2022

Department of Education shall begin undertaking and executing responsibilities incidental to the implementation of this act so that the provisions of this act may be fully implemented thirty days after approval by the Governor. /

Amend title to conform.

/s/Sen. Greg Hembree	/s/Rep. Shannon Smith Erickson
/s/Sen. Lawrence Kelly "Larry" Grooms	/s/Rep. William Ramsey Whitmire
/s/Sen. Darrell Jackson, Sr.	Rep. Jackie Elliott "Coach" Hayes
On Part of the Senate.	On Part of the House.

Rep. ERICKSON explained the Conference Report.

The yeas and nays were taken resulting as follows:
Yeas 85; Nays 14

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brittain
Burns	Bustos	Calhoon
Caskey	Chumley	Clyburn
Cobb-Hunter	B. Cox	Crawford
Daning	Davis	Elliott
Erickson	Finlay	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hart	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Long
Lowe	Magnuson	May
McCravy	McDaniel	McGarry
McGinnis	McKnight	T. Moore
A. M. Morgan	T. A. Morgan	D. C. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rose
Sandifer	Simrill	G. M. Smith

WEDNESDAY, JUNE 15, 2022

G. R. Smith	M. M. Smith	Taylor
Thayer	Trantham	Weeks
West	Wheeler	White
Whitmire	R. Williams	Willis
Yow		

Total--85

Those who voted in the negative are:

Carter	Dillard	Felder
Garvin	Hayes	Henderson-Myers
Parks	Rivers	Robinson
Stavrinakis	Tedder	Thigpen
Wetmore	S. Williams	

Total--14

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

RECORD FOR VOTING

I inadvertently voted in favor of adopting the Conference Report on S. 935. I intended to vote against the Conference Report.

Rep. John R. King

RECORD FOR VOTING

I inadvertently voted in favor of adopting the Conference Report on S. 935. I intended to vote against the Conference Report.

Rep. Patricia Henegan

RECORD FOR VOTING

I inadvertently voted in favor of adopting the Conference Report on S. 935. I intended to vote against the Conference Report.

Rep. Annie McDaniel

RECORD FOR VOTING

I was summoned to a conference committee meeting on another bill during the vote on S. 935. Had I been present, I would have voted to adopted the Conference Report.

Rep. Robby Robbins

WEDNESDAY, JUNE 15, 2022

STATEMENT BY REP. BANNISTER

Rep. BANNISTER made a statement relative to Rep. G. R. SMITH's service in the House.

STATEMENT BY REP. G. R. SMITH

Rep. G. R. SMITH made a statement relative to his service in the House.

S. 1077--CONFERENCE REPORT ADOPTED

S. 1077 -- Conference Report

The General Assembly, Columbia, S.C., June 9, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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. Chapter 27, Title 58 of the 1976 Code is amended by adding:

“Article 8

Storm Damage Recovery

Section 58-27-1100. Upon application by an electrical utility, the commission may by order authorize the issuance of bonds for the purposes of offsetting and reducing prudently incurred costs due to storm recovery activity. It is in the interest of the State and its citizens to

WEDNESDAY, JUNE 15, 2022

encourage and facilitate the use of securitized bonds as a method for enabling electrical utilities to lower the cost of financing the costs of these activities under certain conditions, and to empower the commission to review a securitization mechanism to determine whether it is consistent with the public interest and worthy of approval. In order for the commission to authorize the issuance of these bonds, it must find that an electrical utility's use of this financing mechanism will provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds, and will result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds are priced and the terms set forth in a financing order issued by the commission.

Section 58-27-1105. When used in this article:

(1) The term 'ancillary agreement' means a bond, insurance policy, letter of credit, reserve account, surety bond, liquidity or credit support arrangement, or other financial arrangement entered into in connection with recovery bonds.

(2) The term 'assignee' means a legally recognized entity to which an electrical utility assigns, sells, or transfers, other than as a security, all or a portion of its interest in or right to storm recovery property. The term includes a corporation, limited liability company, general partnership or limited partnership, public authority, trust, financing entity, or any entity to which an assignee assigns, sells, or transfers, other than as security, all or a portion of its interest in or right to storm recovery property.

(3) The term 'bondholder' means a person who holds a storm recovery bond.

(4) The term 'code' means The Uniform Commercial Code, Title 36 of the South Carolina Code of Laws.

(5) The term 'commission' means the Public Service Commission of South Carolina.

(6) The term 'electrical utility' is as defined in Section 58-27-10(7).

(7) The term 'financing costs' includes all of the following:

(a) interest and acquisition, defeasance, or redemption premiums payable on recovery bonds;

(b) any payment required under an ancillary agreement and any amount required to fund or replenish a storm reserve account or other accounts established under the terms of any indenture, ancillary agreement, or other financing documents pertaining to recovery bonds;

(c) any other cost related to issuing, supporting, repaying, refunding, and servicing storm recovery bonds, including servicing fees,

WEDNESDAY, JUNE 15, 2022

accounting and auditing fees, trustee fees, legal fees, consulting fees, structuring adviser fees, administrative fees, placement and underwriting fees, independent director and manager fees, capitalized interest, rating agency fees, stock exchange listing and compliance fees, security registration fees, filing fees, information technology programming costs, and any other costs necessary to otherwise ensure the timely payment of recovery or other amounts or charges payable in connection with the bonds, including costs related to obtaining the financing order;

(d) any taxes and license fees or other fees imposed on the revenues generated from the collection of a storm recovery charge or otherwise resulting from the collection of storm recovery charges, in any such case whether paid, payable, or accrued;

(e) any state and local taxes, franchise, gross receipts, and other taxes or similar charges, including regulatory assessment fees, whether paid, payable, or accrued;

(f) any costs incurred by the commission or the Office of Regulatory Staff for any outside consultants, including counsel and advisors, retained in connection with the securitization of storm recovery costs.

(8) The term ‘financing order’ means an order that authorizes the issuance of storm recovery bonds; the imposition, collection, and periodic adjustments of a storm recovery charge; the creation of storm recovery property; and the sale, assignment, or transfer of storm recovery property to an assignee.

(9) The term ‘financing party’ means bondholders and trustees, collateral agents, any party under an ancillary agreement, or any other person acting for the benefit of bondholders.

(10) The term ‘financing statement’ is as defined in Section 36-9-102.

(11) The term ‘pledgee’ means a financing party to which an electrical utility or its successors or assignees mortgages, negotiates, pledges, or creates a security interest or lien on all or any portion of its interest in or right to storm recovery property.

(12) The term ‘storm’ means, individually or collectively, a named tropical storm or hurricane, a tornado, ice storm or snowstorm, flood, an earthquake, or other significant weather or natural disaster.

(13)(a) The term ‘storm recovery activity’ means an activity or activities by an electrical utility, its affiliates, or its contractors directly and specifically in connection with the restoration of service and infrastructure associated with electric power outages affecting customers of an electrical utility as the result of a storm or storms, including activities related to mobilization, staging, and construction,

WEDNESDAY, JUNE 15, 2022

reconstruction, replacement, or repair of electric generation, transmission, distribution, or general plant facilities.

(b) No electric utility is required to securitize nor is it prohibited from securitizing those capital improvements or infrastructure upgrades that have a quantifiable net benefit to consumers and that improve the resiliency of the transmission and distribution system.

(14) The term ‘storm recovery bonds’ means bonds, debentures, notes, certificates of participation, certificates of beneficial interest, certificates of ownership, or other evidences of indebtedness or ownership that are issued by an electrical utility or an assignee pursuant to a financing order, the proceeds of which are used directly or indirectly to recover, finance, or refinance commission-approved storm recovery costs and financing costs, and that are secured by or payable from storm recovery property. If certificates of participation or ownership are issued, references in this article to principal, interest, or premium shall be construed to refer to comparable amounts under those certificates.

(15) The term ‘storm recovery charge’ means the amounts authorized by the commission to repay, finance, or refinance storm recovery costs and financing costs and that are nonbypassable charges (i) imposed on and part of all retail customer bills, (ii) collected by an electrical utility or its successors or assignees, or a collection agent, in full, separate and apart from the electrical utility’s base rates, and (iii) paid by all existing or future retail customers receiving transmission or distribution service, or both, from the electrical utility or its successors or assignees under commission-approved rate schedules or under special contracts, even if a customer elects to purchase electricity from an alternative electricity supplier following a fundamental change in regulation of electrical utilities in this State.

(16) The term ‘storm recovery costs’ means:

(a) all incremental costs, including capital costs, appropriate for recovery from existing and future retail customers receiving transmission or distribution service from an electrical utility that an electrical utility has incurred or expects to incur as a result of the applicable storm that are caused by, associated with, or remain as a result of undertaking storm recovery activity.

(b) Storm recovery costs shall be net of applicable insurance proceeds, tax benefits, income tax savings, and any other amounts intended to reimburse the electrical utility for storm recovery activities such as government grants, or aid of any kind and where determined appropriate by the commission, and may include adjustments for capital replacement and operating costs previously considered in determining

WEDNESDAY, JUNE 15, 2022

normal amounts in the electrical utility's most recent general rate proceeding. Storm recovery costs may include, to the extent determined appropriate by the commission, the cost to replenish and fund any storm reserves, the costs of retiring any existing indebtedness relating to storm recovery activities, and carrying costs.

(c) With respect to storm recovery costs that the electrical utility expects to incur, any difference between costs expected to be incurred and actual, reasonable and prudent costs incurred, or any other rate-making adjustments appropriate to fairly and reasonably assign or allocate storm cost recovery to customers over time, shall be addressed in a future general rate proceeding, as may be facilitated by other orders of the commission issued at the time or prior to such proceeding; provided, however, that the commission's adoption of a financing order and approval of the issuance of storm recovery bonds may not be revoked or otherwise modified.

(17) The term 'storm recovery property' means:

(a) All rights and interests of an electrical utility or successor or assignee of the electrical utility under a financing order, including the right to impose, bill, charge, collect, and receive storm recovery charges authorized under the financing order and to obtain periodic adjustments to such charges as provided in the financing order.

(b) All revenues, collections, claims, rights to payments, payments, money, or proceeds arising from the rights and interests specified in the financing order, regardless of whether such revenues, collections, claims, rights to payment, payments, money, or proceeds are imposed, billed, received, collected, or maintained together with or commingled with other revenues, collections, rights to payment, payments, money, or proceeds.

Section 58-27-1110. (A) An electrical utility may petition the commission for a financing order. The petition shall include all of the following:

(1) a description of the storm recovery activities that the electrical utility has undertaken or proposes to undertake and the reasons for undertaking the activities, or if the electrical utility is subject to a settlement agreement that governs the type and amount of principal costs that could be included in storm recovery costs, a description of the settlement agreement;

(2) the storm recovery costs and an estimate of the costs of any storm recovery activities that are being undertaken but are not completed;

WEDNESDAY, JUNE 15, 2022

(3) the level of the storm recovery reserve, if any, that the electrical utility proposes to establish or replenish and has determined would be appropriate to recover through storm recovery bonds and is seeking to so recover, and such level that the electrical utility is funding or will seek to fund through other means, together with a description of the factors and calculations used in determining the amounts and methods of recovery;

(4) an indicator of whether the electrical utility proposes to finance all or a portion of the storm recovery costs using storm recovery bonds. If the utility proposes to finance a portion of such costs, the electrical utility must identify the specific portion in the petition. By requesting not to finance a portion of such storm recovery costs using storm recovery bonds, an electrical utility shall not be deemed to waive its right to seek to recover such costs pursuant to a separate proceeding with the commission;

(5) an estimate of the financing costs related to the storm recovery bonds;

(6) an estimate of the storm recovery charges necessary to recover the storm recovery costs, including the storm recovery reserve amount, if any, determined appropriate by the commission, and financing costs and the period for recovery of such costs;

(7) a comparison between the net present value of the costs to customers that are estimated to result from the issuance of storm recovery bonds based on current market conditions and the costs that would result from the application of the traditional method of financing and recovering storm recovery costs from customers. The comparison should demonstrate that the issuance of storm recovery bonds and the imposition of storm recovery charges are expected to provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds; and

(8) direct testimony, exhibits, and supporting workpapers supporting the petition, testimony, and exhibits. Such workpapers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and workpapers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(B) If the principal costs the electrical utility proposes to finance using storm recovery bonds were not already subject to review by the commission in a general rate proceeding, then the electrical utility must

WEDNESDAY, JUNE 15, 2022

file a petition with the commission for review and approval of those costs no later than one hundred eighty days before filing a petition for a financing order pursuant to this section.

(1) Any petition for review and approval of the principal costs shall be accompanied by direct testimony, exhibits, and supporting workpapers supporting the petition, testimony, and exhibits. Such workpapers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and workpapers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(2) If the electrical utility must file a petition for review and approval of the principal costs, the electrical utility shall not be required to provide additional notice prior to filing a petition for a financing order pursuant to this section; otherwise, the utility shall file a notice of its intent to file a petition for a financing order not less than thirty days prior to filing any such petition.

(C)(1) Proceedings on a petition for a financing order submitted pursuant to this section begin with the petition by an electrical utility, filed subject to the time frame specified in subsection (B), as applicable, and shall be disposed of in accordance with the requirements of this chapter and the rules of the commission, except as follows:

(a) within fourteen days after the date the petition is filed, the commission shall establish a procedural schedule that permits a commission decision no later than one hundred thirty-five days after the date the petition is filed; and

(b) no later than one hundred thirty-five days after the date the petition is filed, the commission shall issue a financing order or an order rejecting the petition. A party to the commission proceeding may petition the commission for reconsideration of the financing order within the time prescribed in Section 58-27-2150.

(2) A financing order issued by the commission to an electrical utility shall include all of the following elements and shall not issue unless each of the following elements is met:

(a) except for changes made pursuant to the formula-based mechanism authorized under this section, the amount of storm recovery costs, including the level of storm recovery reserves, if any, to be financed using storm recovery bonds. The commission shall describe and estimate the amount of financing costs that may be recovered through storm recovery charges and specify the period over which storm recovery costs and financing costs may be recovered;

WEDNESDAY, JUNE 15, 2022

(b) a finding that the proposed issuance of recovery bonds and the imposition and collection of a storm recovery charge will provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds;

(c) a finding that the structuring, marketing, and pricing of the storm recovery bonds will result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds are priced and the terms set forth in such financing order. The financing order must provide detailed findings of fact addressing cost effectiveness and associated rate impacts upon retail customers and retail customer classes;

(d) a requirement that, for so long as the storm recovery bonds are outstanding and until all financing costs have been paid in full, the imposition and collection of storm recovery charges authorized under a financing order shall be nonbypassable and paid by all existing and future retail customers receiving transmission or distribution service, or both, from the electrical utility or its successors or assignees under commission-approved rate schedules or under special contracts, even if a customer elects to purchase electricity from an alternative electric supplier following a fundamental change in regulation of electrical utilities in this State;

(e) a determination of what portion, if any, of the storm recovery reserves, if any, must be held in a funded reserve and any limitations on how the reserve may be held, accessed, or used;

(f) a formula-based true-up mechanism for making, at least annually, expeditious periodic adjustments in the storm recovery charges that customers are required to pay pursuant to the financing order and for making any adjustments that are necessary to correct for any overcollection or undercollection of the charges or to otherwise ensure the timely payment of storm recovery bonds, financing costs, and other required amounts and charges payable in connection with the storm recovery bonds;

(g) the storm recovery property that is or shall be created in favor of an electrical utility or its successors or assignees, and that shall be used to pay or secure storm recovery bonds and all financing costs;

(h) the degree of flexibility to be afforded to the electrical utility in establishing the terms and conditions of the storm recovery bonds including, but not limited to, repayment schedules, expected interest rates, and other financing costs, and subject to any conditions in the

WEDNESDAY, JUNE 15, 2022

financing order, including the pre-bond issuance review process which the commission shall establish;

(i) how storm recovery charges will be allocated among customer classes;

(j) a requirement that, after the final terms of an issuance of storm recovery bonds have been established and before the issuance of storm recovery bonds, the electrical utility determines the resulting initial storm recovery charge in accordance with the financing order and that such initial storm recovery charge be final and effective upon the issuance of such storm recovery bonds without further commission action so long as the recovery charge is consistent with the financing order and the pre-bond issuance review process established by the commission in the financing order is complete;

(k) a method of tracing funds collected as storm recovery charges, or other proceeds of storm recovery property, and the determination that such method shall be deemed the method of tracing such funds and determining the identifiable cash proceeds of any storm recovery property subject to a financing order under applicable law; and

(l) any other conditions not otherwise inconsistent with this section that the commission determines are appropriate.

(3) A financing order issued to an electrical utility may provide that creation of the electrical utility's storm recovery property is conditioned upon, and simultaneous with, the sale or other transfer of the storm recovery property to an assignee and the pledge of the storm recovery property to secure storm recovery bonds.

(4) If the commission issues a financing order and the storm recovery bonds are issued, the electrical utility shall file with the commission at least annually a petition or a letter applying the formula-based mechanism and, based on estimates of consumption for each rate class and other mathematical factors, requesting administrative approval to make the applicable adjustments. The review of the filing shall be limited to determining whether there are any mathematical or clerical errors in the application of the formula-based mechanism relating to the appropriate amount of any overcollection or undercollection of storm recovery charges and the amount of an adjustment. The adjustments shall ensure the recovery of revenues sufficient to provide for the payment of principal, interest, acquisition, defeasance, financing costs, or redemption premium and other fees, costs, and charges with respect to storm recovery bonds approved under the financing order. Within sixty days after receiving an electrical utility's request pursuant to this paragraph, the commission shall either

WEDNESDAY, JUNE 15, 2022

approve the request or inform the electrical utility of any mathematical or clerical errors in its calculation. If the commission informs the electrical utility of mathematical or clerical errors in its calculation, the electrical utility may correct its error and refile its request. The time frames previously described in this paragraph shall apply to a refiled request.

(5) Subsequent to the transfer of storm recovery property to an assignee or the issuance of storm recovery bonds authorized thereby, whichever is earlier, a financing order is irrevocable and, except for changes made pursuant to the formula-based mechanism authorized in this article, the commission may not amend, modify, or terminate the financing order by any subsequent action or reduce, impair, postpone, terminate, or otherwise adjust recovery charges approved in the financing order. After the issuance of a financing order, the electrical utility retains sole discretion regarding whether to assign, sell, or otherwise transfer storm recovery property or to cause storm recovery bonds to be issued, including the right to defer or postpone such assignment, sale, transfer, or issuance, unless otherwise provided in the financing order.

(6) If required by the commission in a financing order, within one business day after the final terms of the storm recovery bonds are determined, the electrical utility shall provide an issuance advice letter to the commission.

(a) Such issuance advice letter shall be in the form approved in a financing order and include the final terms of the storm recovery bond issuance, up-front financing costs and on-going financing costs. Such issuance advice letter shall include a certification from the electrical utility, the primary underwriter(s), and a qualified independent third-party designated by the commission, as a condition to closing, certifying whether the sale of storm recovery bonds complies with the requirements of this article and the financing order. The certifications of the electrical utility and independent third-party shall certify whether the issuance of recovery bonds and the imposition and collection of a storm recovery charge will in fact provide quantifiable net benefits to customers on a present-value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds. The certifications of the electrical utility, primary underwriter(s), and independent third-party shall certify whether the structuring, marketing, and pricing of the storm recovery bonds will in fact result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds were priced and the terms set forth in the financing

WEDNESDAY, JUNE 15, 2022

order. The independent third-party designated by the commission shall review the issuance advice letter and deliver its independent certification to the commission along with any other information it believes the commission should consider as to the commission's decision in subitem (b) no later than one business day after the filing of the issuance advice letter by the electric utility which will contain the aforementioned certifications.

(b) Unless otherwise provided in the financing order, by no later than noon on the fourth business day after the final terms of the storm recovery bonds are determined, the commission shall either accept the issuance advice letter or deliver an order to the electrical utility to prevent the issuance of the storm recovery bonds.

(D) At the request of an electrical utility, the commission may commence a proceeding and issue a subsequent financing order that provides for refinancing, retiring, or refunding storm recovery bonds issued pursuant to the original financing order if the commission finds that the subsequent financing order satisfies all of the criteria specified in this article for a financing order. Effective upon retirement of the refunded storm recovery bonds and the issuance of new storm recovery bonds, the commission shall adjust the related storm recovery charges accordingly.

(E) Within thirty days after the commission issues a financing order or a decision denying a request for reconsideration or, if the request for reconsideration is granted, within thirty days after the commission issues its decision on reconsideration, an adversely affected party may petition for judicial review in the Supreme Court of South Carolina. Review on appeal shall be based solely on the record before the commission and briefs to the court and is limited to determining whether the financing order, or the order on reconsideration, conforms to the State Constitution and to state and federal law, and is within the authority of the commission under this article. The Supreme Court of South Carolina shall proceed to hear and determine the action as expeditiously as practicable and give the action precedence over other matters not accorded similar precedence by law.

(F)(1) A financing order remains in effect and storm recovery property under the financing order continues to exist until storm recovery bonds issued pursuant to the financing order have been paid in full or defeased and, in each case, all commission-approved financing costs of such storm recovery bonds have been recovered in full.

(2) A financing order issued to an electrical utility remains in effect and unabated notwithstanding the reorganization, bankruptcy or

WEDNESDAY, JUNE 15, 2022

other insolvency proceedings, merger, or sale of the electrical utility or its successors or assignees.

Section 58-27-1115. (A) The commission may not, in exercising its powers and carrying out its duties regarding any matter within its authority pursuant to this chapter, consider the storm recovery bonds issued pursuant to a financing order to be the debt of the electrical utility other than for federal income tax purposes, consider the storm recovery charges paid under the financing order to be the revenue of the electrical utility for any purpose, or consider the storm recovery costs or financing costs specified in the financing order to be the costs of the electrical utility, nor may the commission determine any action taken by an electrical utility which is consistent with the financing order to be unjust or unreasonable unless the electrical utility abandons the issuance of storm recovery bonds or the electrical utility's petition for a financing order is ultimately denied.

(B) The commission may not order or otherwise directly or indirectly require an electrical utility to use storm recovery bonds to finance any project, addition, plant, facility, extension, capital improvement, equipment, or any other expenditure except as permitted under this article. After the issuance of a financing order, the electrical utility retains sole discretion regarding whether to cause the storm recovery bonds to be issued, including the right to defer or postpone such sale, assignment, transfer, or issuance, unless otherwise provided in the financing order. Nothing shall prevent the electrical utility from abandoning the issuance of storm recovery bonds under the financing order by filing with the commission a statement of abandonment and the reasons therefor. The commission may not refuse to allow an electrical utility to recover storm recovery costs in an otherwise permissible fashion, or refuse or condition authorization or approval of the issuance and sale by an electrical utility of securities or the assumption by the electrical utility of liabilities or obligations, solely because of the potential availability of storm recovery bond financing.

Section 58-27-1120. The electric bills of an electrical utility that has obtained a financing order and caused recovery bonds to be issued must comply with the provisions of this section; however, the failure of an electrical utility to comply with this section does not invalidate, impair, or affect any financing order, storm recovery property, recovery charge, or recovery bonds. The electrical utility must do the following:

(1) explicitly reflect that a portion of the charges on such bill represents recovery charges approved in a financing order issued to the electrical utility and, if the storm recovery property has been transferred

WEDNESDAY, JUNE 15, 2022

to an assignee, must include a statement to the effect that the assignee is the owner of the rights to recovery charges and that the electrical utility or other entity, if applicable, is acting as a collection agent or servicer for the assignee. The tariff applicable to customers must indicate the recovery charge and the ownership of the charge; and

(2) include the recovery charge on each customer's bill as a separate line item and include both the rate and the amount of the charge on each bill.

Section 58-27-1125. (A) Provisions applicable to storm recovery property:

(1) All storm recovery property that is specified in a financing order constitutes an existing, present intangible property right or interest therein, notwithstanding that the imposition and collection of recovery charges depends on the electrical utility to which the financing order is issued performing its servicing functions relating to the collection of recovery charges and on future electricity consumption. The property exists (i) regardless of whether or not the revenues or proceeds arising from the property have been billed, have accrued, or have been collected and (ii) notwithstanding the fact that the value or amount of the property is dependent on the future provision of service to customers by the electrical utility or its successors or assignees and the future consumption of electricity by customers.

(2) Storm recovery property specified in a financing order exists until recovery bonds issued pursuant to the financing order are paid in full and all financing costs and other costs of such recovery bonds have been recovered in full.

(3) All or any portion of storm recovery property specified in a financing order issued to an electrical utility may be transferred, sold, conveyed, or assigned to a successor or assignee, that is wholly owned, directly or indirectly, by the electrical utility and created for the limited purpose of acquiring, owning, or administering storm recovery property or issuing storm recovery bonds under the financing order. All or any portion of storm recovery property may be pledged to secure recovery bonds issued pursuant to the financing order, amounts payable to financing parties and to counterparties under any ancillary agreements, and other financing costs. Any transfer, sale, conveyance, assignment, grant of a security interest in or pledge of storm recovery property by an electrical utility or an affiliate of the electrical utility, to an assignee, to the extent previously authorized in a financing order, does not require the prior consent and approval of the commission.

WEDNESDAY, JUNE 15, 2022

(4) If an electrical utility defaults on any required payment of charges arising from storm recovery property specified in a financing order, a court, upon application by an interested party, and without limiting any other remedies available to the applying party, shall order the sequestration and payment of the revenues arising from the storm recovery property to the financing parties or their assignees. Any such financing order remains in full force and effect notwithstanding any reorganization, bankruptcy, or other insolvency proceedings with respect to the electrical utility or its successors or assignees.

(5) The interest of a transferee, purchaser, acquirer, assignee, or pledgee in storm recovery property specified in a financing order issued to an electrical utility, and in the revenue and collections arising from that property, is not subject to setoff, counterclaim, surcharge, or defense by the electrical utility or any other person or in connection with the reorganization, bankruptcy, or other insolvency of the electrical utility or any other entity.

(6) Any successor to an electrical utility, whether pursuant to any reorganization, bankruptcy, or other insolvency proceeding or whether pursuant to any merger or acquisition, sale, or other business combination, or transfer by operation of law, as a result of electrical utility restructuring or otherwise, must perform and satisfy all obligations of, and have the same rights under a financing order as, the electrical utility under the financing order in the same manner and to the same extent as the electrical utility, including collecting and paying to the person entitled to receive the revenues, collections, payments, or proceeds of the storm recovery property. Nothing in this subsection is intended to limit or impair any authority of the commission concerning the transfer or succession of interests of electrical utilities.

(7) Recovery bonds shall be nonrecourse to the credit or any assets of the electrical utility other than the storm recovery property as specified in the financing order and any rights under any ancillary agreement.

(B) Provisions applicable to security interests:

(1) The creation, perfection, and enforcement of any security interest in storm recovery property to secure the repayment of the principal and interest and other amounts payable in respect of recovery bonds, amounts payable under any ancillary agreement, and other financing costs are governed by this section and not by the provisions of the code.

(2) A security interest in storm recovery property is created, valid, and binding and perfected at the later of the times that: (i) the financing

WEDNESDAY, JUNE 15, 2022

order is issued, (ii) a security agreement is executed and delivered by the debtor granting such security interest, (iii) the debtor has rights in such storm recovery property or the power to transfer rights in such storm recovery property, or (iv) value is received for the storm recovery property. The description of storm recovery property in a security agreement is sufficient if the description refers to this article and the financing order creating the storm recovery property.

(3) A security interest shall attach without any physical delivery of collateral or other act, and, upon the filing of a financing statement with the office of the Secretary of State, the lien of the security interest shall be valid, binding, and perfected against all parties having claims of any kind in tort, contract, or otherwise against the person granting the security interest, regardless of whether the parties have notice of the lien. Also upon this filing, a transfer of an interest in the storm recovery property shall be perfected against all parties having claims of any kind, including any judicial lien or other lien creditors or any claims of the seller or creditors of the seller, and shall have priority over all competing claims other than any prior security interest, ownership interest, or assignment in the property previously perfected in accordance with this section.

(4) The Secretary of State shall maintain any financing statement filed to perfect any security interest under this article in the same manner that the Secretary maintains financing statements filed by transmitting utilities under the code. The filing of a financing statement under this article shall be governed by the provisions regarding the filing of financing statements in the code.

(5) The priority of a security interest in storm recovery property is not affected by the commingling of storm recovery charges with other amounts. Any pledgee or secured party shall have a perfected security interest in the amount of all storm recovery charges that are deposited in any cash or deposit account of the qualifying utility in which storm recovery charges have been commingled with other funds and any other security interest that may apply to those funds shall be terminated when they are transferred to a segregated account for the assignee or a financing party.

(6) No application of the formula-based adjustment mechanism as provided in this article will affect the validity, perfection, or priority of a security interest in or transfer of storm recovery property.

(7) If a default or termination occurs under the storm recovery bonds, the financing parties or their representatives may foreclose on or otherwise enforce their lien and security interest in any storm recovery

WEDNESDAY, JUNE 15, 2022

property as if they were secured parties with a perfected and prior lien under the code, and the commission may order amounts arising from storm recovery charges be transferred to a separate account for the financing parties' benefit, to which their lien and security interest shall apply. On application by or on behalf of the financing parties, the Circuit Court of Richland County shall order the sequestration and payment to them of revenues arising from the recovery charges.

(C) Provisions applicable to the sale, assignment, or transfer of storm recovery property:

(1) Any sale, assignment, or other transfer of storm recovery property shall be an absolute transfer and true sale of, and not a pledge of or secured transaction relating to, the seller's right, title and interest in, to, and under the storm recovery property if the documents governing the transaction expressly state that the transaction is a sale or other absolute transfer other than for federal and state income tax purposes. For all purposes other than federal and state income tax purposes, the parties' characterization of a transaction as a sale of an interest in storm recovery property shall be conclusive that the transaction is a true sale and that ownership has passed to the party characterized as the purchaser, regardless of whether the purchaser has possession of any documents evidencing or pertaining to the interest. A transfer of an interest in storm recovery property may be created only when all of the following have occurred: (i) the financing order creating the storm recovery property has become effective; (ii) the documents evidencing the transfer of storm recovery property have been executed by the assignor and delivered to the assignee; and (iii) value is received for the storm recovery property. After such a transaction, the storm recovery property is not subject to any claims of the transferor or the transferor's creditors, other than creditors holding a prior security interest in the storm recovery property perfected in accordance with subsection (B) of this section.

(2) The characterization of the sale, assignment, or other transfer as an absolute transfer and true sale and the corresponding characterization of the property interest of the purchaser shall not be affected or impaired by the occurrence of any of the following factors:

- (a) commingling of storm recovery charges with other amounts;
- (b) the retention by the seller of (i) a partial or residual interest, including an equity interest, in the storm recovery property, whether direct or indirect, or whether subordinate or otherwise, or (ii) the right to recover costs associated with taxes, franchise fees, or license fees imposed on the collection of storm recovery charges;

WEDNESDAY, JUNE 15, 2022

- (c) any recourse that the purchaser may have against the seller;
- (d) any indemnification rights, obligations, or repurchase rights made or provided by the seller;
- (e) the obligation of the seller to collect storm recovery charges on behalf of an assignee;
- (f) the transferor acting as the servicer of the storm recovery charges or the existence of any contract that authorizes or requires the electrical utility, to the extent that any interest in storm recovery property is sold or assigned, to contract with the assignee or any financing party that it will continue to operate its system to provide service to its customers, will collect amounts in respect of the storm recovery charges for the benefit and account of such assignee or financing party, and will account for and remit such amounts to or for the account of such assignee or financing party;
- (g) the treatment of the sale, conveyance, assignment, or other transfer for tax, financial reporting, or other purposes;
- (h) the granting or providing to bondholders a preferred right to the storm recovery property or credit enhancement by the electrical utility or its affiliates with respect to such storm recovery bonds; or
- (i) any application of the formula-based adjustment mechanism as provided in this article.

(3) Any right that an electrical utility has in the storm recovery property before its pledge, sale, or transfer or any other right created under this article or created in the financing order and assignable under this article or assignable pursuant to a financing order is property in the form of a contract right or a chose in action. Transfer of an interest in storm recovery property to an assignee is enforceable only upon all of the following items having been attained: (i) the issuance of a financing order, (ii) the assignor having rights in such storm recovery property or the power to transfer rights in such storm recovery property to an assignee, (iii) the execution and delivery by the assignor of transfer documents in connection with the issuance of storm recovery bonds, and (iv) the receipt of value for the storm recovery property. An enforceable transfer of an interest in storm recovery property to an assignee is perfected against all third parties, including subsequent judicial or other lien creditors, when a notice of that transfer has been given by the filing of a financing statement in accordance with item subsection (B)(3). The transfer is perfected against third parties as of the date of filing.

(4) The Secretary of State shall maintain any financing statement filed to perfect any sale, assignment, or transfer of storm recovery property under this section in the same manner that the Secretary

WEDNESDAY, JUNE 15, 2022

maintains financing statements filed by transmitting utilities under the code. The filing of any financing statement under this article shall be governed by the provisions regarding the filing of financing statements in the code. The filing of such a financing statement is the only method of perfecting a transfer of storm recovery property.

(5) The priority of a transfer perfected under this article is not impaired by any later modification of the financing order or storm recovery property or by the commingling of funds arising from storm recovery property with other funds. Any other security interest that may apply to those funds, other than a security interest perfected under subsection (B) of this section, is terminated when they are transferred to a segregated account for the assignee or a financing party. If storm recovery property has been transferred to an assignee or financing party, any proceeds of that property must be held in trust for the assignee or financing party.

(6) The priority of the conflicting interests of assignees in the same interest or rights in any storm recovery property is determined as follows:

(a) conflicting perfected interests or rights of assignees rank according to priority in time of perfection. Priority dates from the time a filing covering the transfer is made in accordance with item 3 of subsection (B) of this section;

(b) a perfected interest or right of an assignee has priority over a conflicting unperfected interest or right of an assignee;

(c) a perfected interest or right of an assignee has priority over a person who becomes a lien creditor after the perfection of such assignee's interest or right.

Section 58-27-1130. The description of storm recovery property being transferred to an assignee in any sale agreement, purchase agreement, or other transfer agreement, granted or pledged to a pledgee in any security agreement, pledge agreement, or other security document, or indicated in any financing statement is only sufficient if such description or indication refers to the financing order that created the storm recovery property and states that the agreement or financing statement covers all or part of the property described in the financing order. This section applies to all purported transfers of, and all purported grants or liens or security interests in, storm recovery property, regardless of whether the related sale agreement, purchase agreement, other transfer agreement, security agreement, pledge agreement, or other security document was entered into, or any financing statement was filed.

WEDNESDAY, JUNE 15, 2022

Section 58-27-1135. All financing statements referenced in this article are subject to Part 5 of Chapter 9 of the code, except that the requirement as to continuation statements does not apply.

Section 58-27-1140. The law governing the validity, enforceability, attachment, perfection, priority, and exercise of remedies with respect to the transfer of an interest or right or the pledge or creation of a security interest in any storm recovery property shall be the laws of this State.

Section 58-27-1145. Neither the State, its agencies, and instrumentalities, nor its political subdivisions are liable on any storm recovery bonds, and the bonds are not a debt or a general obligation of the State or any of its political subdivisions, agencies, or instrumentalities nor are they special obligations or indebtedness of the State, its agencies, or its political subdivisions. An issue of storm recovery bonds does not, directly, indirectly, or contingently obligate the State or its agencies, instrumentalities, or political subdivisions, to levy any tax or make any appropriation for payment of the storm recovery bonds, other than in their capacities as consumers of electricity. All storm recovery bonds must contain on the face thereof a statement to the following effect: 'Neither the full faith and credit nor the taxing power of the State of South Carolina is pledged to the payment of the principal of, or interest on, this bond, nor shall the holder of this bond have any recourse against the State, its agencies, instrumentalities, or political subdivisions for the payment of the principal of, or interest on, this bond.'

Section 58-27-1150. All of the following entities may legally invest any sinking funds, moneys, or other funds in storm recovery bonds:

(1) the South Carolina Pooled Investment Fund established pursuant to Section 6-6-10;

(2) banks and bankers, savings and loan associations, credit unions, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations, and other persons carrying on a banking or insurance business;

(3) personal representatives, guardians, trustees, and other fiduciaries; and

(4) all other persons authorized to invest in bonds or other obligations of a similar nature.

Section 58-27-1155. (A) The State and its agencies, including the commission, pledge and agree with bondholders, the owners of the storm recovery property, and other financing parties that the State and its agencies will not take any action listed in this section as to any outstanding storm recovery bonds, storm recovery charges, or storm

WEDNESDAY, JUNE 15, 2022

recovery property. This paragraph does not preclude limitation or alteration if full compensation is made by law for the full protection of the storm recovery charges collected pursuant to a financing order and of the bondholders and any assignee or financing party entering into a contract with the electrical utility. The prohibited actions are as follows:

(1) altering the provisions of this article, which authorize the commission to create an irrevocable contract right or chose in action by the issuance of a financing order, to create storm recovery property, and make the storm recovery charges imposed by a financing order irrevocable, binding, or nonbypassable charges;

(2) taking or permitting any action that impairs or would impair the value of storm recovery property or the security for the storm recovery bonds, or revises the storm recovery costs for which storm recovery is authorized;

(3) in any way impairing the rights and remedies of the bondholders, assignees, and other financing parties; and

(4) except for changes made pursuant to the formula-based adjustment mechanism authorized under this article, reducing, altering, or impairing storm recovery charges that are to be imposed, billed, charged, collected, and remitted for the benefit of the bondholders, any assignee and any other financing parties until any and all principal, interest, premium, financing costs and other fees, expenses, or charges incurred, and any contracts to be performed in connection with the related storm recovery bonds, have been paid and performed in full.

(B) Any person or entity that issues storm recovery bonds may include the language specified in this section in the storm recovery bonds and related documentation.

Section 58-27-1160. An assignee or financing party is not an electrical utility or person providing electric service by virtue of engaging in the transactions described in this article.

Section 58-27-1165. If there is a conflict between this article and any other law regarding the attachment, assignment, perfection, effect of perfection, priority of, assignment or transfer of, or security interest in storm recovery property, this article shall govern.

Section 58-27-1170. In connection with its responsibilities under this article, the commission may retain independent outside consultants to serve as advisors and counsel to the commission. Such consultants shall not have authority to direct how the electrical utility places the storm recovery bonds to market. Any such consultants will be subject to the same ex parte prohibitions contained in Chapter 3, Title 58 as are applicable to the employees of the commission. The commission shall

WEDNESDAY, JUNE 15, 2022

endeavor to retain such consultants in order to best control costs ultimately paid by customers. The compensation paid to such consultants may not exceed compensation generally paid by the regulated industry for such specialists. The consultants' duty will be to the commission, and the consultants shall not have any financial interest in the storm recovery bonds or participate in the underwriting or secondary market trading of the storm recovery bonds. The commission is exempt from complying with the State Procurement Code in the selection and hiring of independent outside consultants authorized by this section.

Section 58-27-1175. If any provision of this article is held invalid or is invalidated, superseded, replaced, repealed, or expires for any reason, that occurrence does not affect the validity of any action allowed under this article which is taken by an electrical utility, an assignee, a financing party, a collection agent, or a party to an ancillary agreement; and any such action remains in full force and effect with respect to all storm recovery bonds issued or authorized in a financing order issued under this article before the date that such provision is held invalid or is invalidated, superseded, replaced, or repealed, or expires for any reason.

Section 58-27-1180. A violation of this article or of a financing order issued under this article subjects the utility that obtained the order to penalties under Article 19 of this chapter and to any other penalties or remedies that the commission determines are necessary to achieve the intent of this article and the intent and terms of the financing order and to prevent any increase in financial impact to the utility's ratepayers above that set forth in the financing order. If the commission orders a penalty or a remedy for a violation, the monetary penalty or remedy and the costs of defending against the proposed penalty or remedy may not be recovered from the ratepayers. The commission may not make adjustments to recovery charges for any such penalties or remedies."

SECTION 2. Section 36-9-109(d)(13) and (14) of the 1976 Code is amended to read:

“(13) an assignment of a deposit account in a consumer transaction, but Sections 36-9-315 and 36-9-322 apply with respect to proceeds and priorities in proceeds; ~~or~~

(14) a transfer by a government or governmental unit; or

(15) the creation, perfection, priority, or enforcement of any sale, assignment of, pledge of, security interest in, or other transfer of, any interest or right or portion of any interest or right in any storm recovery property as defined in Section 58-27-1105(17).”

SECTION 3. This act takes effect upon approval by the Governor. / Amend title to conform.

WEDNESDAY, JUNE 15, 2022

/s/Sen. Luke A. Rankin /s/Rep. John Taliaferro “Jay” West IV
/s/Sen. Scott Talley Rep. Russell L. Ott
/s/Sen. Brad Hutto /s/Rep. Jeffrey Edwin “Jeff” Johnson
On Part of the Senate. On Part of the House.

Rep. WEST explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	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	K. O. Johnson
Jones	Jordan	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	T. Moore
A. M. Morgan	T. A. Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
Nutt	Oremus	Parks
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	Stavrinakis	Tedder

WEDNESDAY, JUNE 15, 2022

Thayer	Thigpen	Trantham
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Yow

Total--102

Those who voted in the negative are:

Total--0

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

S. 1090--CONFERENCE REPORT ADOPTED

S. 1090 -- Conference Report

The General Assembly, Columbia, S.C., June 15, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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 title and inserting:

/ Whereas, pursuant to Section 41-27-40, the General Assembly has the right to amend or repeal all or any part of Chapters 27 through 41 of this Title at any time and there is no vested private right of any kind against such amendment or repeal; and

WEDNESDAY, JUNE 15, 2022

Whereas, the General Assembly intended to charge the department with the administration of Title 41, Chapters 27 through 41, which includes the enforcement, interpretation, and execution of Section 41-35-40; and

Whereas, the General Assembly has known of the department's enforcement, interpretation, and execution of Section 41-35-40 regarding the weekly maximum benefit amounts paid to claimants; and

Whereas, the General Assembly has continuously approved the decades long practice by the department and its predecessor, the Employment Security Commission, of exercising its discretion to set a weekly maximum amount of unemployment benefits that an individual may receive in a week for the legitimate legislative purpose of ensuring the solvency of the unemployment insurance trust fund and that there are adequate funds to pay unemployment insurance benefits to individuals unemployed through no fault of their own; and

Whereas the General Assembly believes that the department's enforcement, interpretation, and execution of Section 41-35-40 has been and continues to be reasonable and consistent with the General Assembly's intent and charge to administer Section 41-35-40; and

Whereas, the General Assembly intends to explicitly reaffirm that the department has always had the discretion to establish a maximum amount of unemployment benefits an individual may receive each week; and

Whereas, the General Assembly intends for this act to apply retroactively and govern all claims for unemployment insurance filed on or after July 1, 2007, and to apply to all proceedings disputing the department's calculation of an unemployed individual's maximum weekly benefit amount pending on or commenced after the date the enactment of this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A. Section 41-35-40 of the 1976 Code is amended to read:

“Section 41-35-40. (A) An insured worker's weekly benefit amount is fifty percent of his weekly average wage, as defined in Section 41-27-140, and the weekly benefit amount, if not a multiple of one dollar, must be computed to the next lower multiple of one dollar. However, no insured worker's weekly benefit amount may be less than forty-two dollars nor greater than sixty-six and two-thirds percent of the statewide average weekly wage most recently computed before the beginning of the individual's benefit year.

WEDNESDAY, JUNE 15, 2022

(B) The maximum weekly benefit amount set each year by the department within the range established in subsection (A) must be published on the department's website.

(C) The procedure for reconsideration of determinations pursuant to Section 41-35-640 is the sole and exclusive procedure and remedy for disputing the department's determination of an insured worker's weekly benefit amount."

B.The General Assembly ratifies and affirms that the department has reasonably and faithfully interpreted, executed, and enforced the provisions contained in Section 41-35-40 in accordance with its charge of the administration of the statute and the General Assembly's intent. The provisions of this SECTION shall apply retroactively to govern all claims for unemployment insurance benefits on or after July 1, 2007, so that all such claims are subject to the maximum weekly benefit amount set by the department at the time the claim was filed.

SECTION 2. Section 41-31-60(A) of the 1976 Code is amended to read:

"(A) If on the computation date upon which an employer's tax rate is to be computed as provided in Section 41-31-40 there is a delinquent report, the tax class twenty rate must be assigned to the employer for the period to which the computation applies until the next computation date or until all outstanding tax reports have been filed."

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor. / Amend title to conform.

/s/Sen. A. Shane Massey
/s/Sen. Sean M. Bennett
/s/Sen. Kevin L. Johnson
On Part of the Senate.

/s/Rep. Christopher Sloan "Chris" Wooten
/s/Rep. Bart T. Blackwell
/s/Rep. Joseph Herman Jefferson, Jr.
On Part of the House.

Rep. BLACKWELL explained the Conference Report.

WEDNESDAY, JUNE 15, 2022

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Chumley	Clyburn	Collins
B. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	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	McCrary
McDaniel	McGarry	McGinnis
McKnight	T. Moore	A. M. Morgan
T. A. Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Parks
Pope	Rivers	Robinson
Rose	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Yow	

Total--101

WEDNESDAY, JUNE 15, 2022

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--CONFERENCE REPORT ADOPTED

H. 4831 -- Conference Report

The General Assembly, Columbia, S.C., June 14, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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. (A) The Department of Commerce must 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 for South Carolina to effectively compete in attracting offshore wind energy supply chain industries to the State. This study will build upon South Carolina's existing breadth of research including, but not limited to, the previous Phase I and Phase II Economic Impact Studies conducted by Clemson University in 2012 and 2014. The Department of Commerce also must coordinate with the South Carolina

WEDNESDAY, JUNE 15, 2022

Office of Regulatory Staff, Clemson University, or any other state agency where deemed necessary to exchange information and expertise.

(B) To the extent necessary to carry out study responsibilities, the department is authorized to employ third-party consultants and industry experts, by contract or otherwise, as the department may consider necessary to assist in the proper discharge of the responsibility as provided by this section.

(C) In conducting the economic development study and in creating a roadmap, the department must consider at least all of the following:

(1) identification and characterization of discrete segments within the offshore wind supply chain, including major manufacturing operations, specialty component manufacturing, component assembly, and ancillary services for future offshore wind energy projects along the east coast of the United States;

(2) estimated number and type of direct manufacturing jobs;

(3) potential ancillary economic benefits;

(4) potential industry investment in South Carolina and opportunities for rural economic development;

(5) highest impact investment opportunities to produce the largest net economic benefit;

(6) potential benefits to local tax bases;

(7) expected additional contribution to state economic output;

(8) any additional information the department identifies as relevant to the conduct of its study; and

(9) actionable next steps the State should take to recruit new, and assist the expansion of existing offshore wind supply chain companies, in order to capitalize on the 109 billion dollar offshore wind industry.

SECTION 2. The Department of Commerce must submit the reports, roadmap, and any legislative recommendations to the Speaker of the House, Chairman of the House Ways and Means Committee, Chairman of the House Labor, Commerce and Industry Committee, the President of the Senate, Chairman of the Senate Finance Committee, and Chairman of the Senate Labor, Commerce and Industry Committee one year from the date of funding.

SECTION 3. Implementation of the provisions of this joint resolution is contingent upon funding by the General Assembly.

SECTION 4. The provisions of this act are repealed on June 30, 2024.

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

Amend title to conform.

WEDNESDAY, JUNE 15, 2022

/s/Sen. Tom Davis	/s/Rep. John Taliaferro “Jay” West
/s/Sen. Mike Reichenbach	/s/Rep. Bart T. Blackwell
/s/Sen. Karl B. Allen	/s/Rep. Russell L. Ott
On Part of the Senate.	On Part of the House.

Rep. WEST explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 80; Nays 25

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Bennett	Bernstein
Blackwell	Brawley	Brittain
Bryant	Bustos	Carter
Clyburn	Collins	B. Cox
W. Cox	Crawford	Daning
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	K. O. Johnson	Jordan
King	Kirby	Ligon
Lowe	Lucas	McDaniel
McGinnis	McKnight	T. Moore
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Parks
Pendarvis	Pope	Rivers
Robinson	Rose	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Weeks	West	Wheeler
White	R. Williams	S. Williams
Willis	Yow	

Total--80

WEDNESDAY, JUNE 15, 2022

Those who voted in the negative are:

Burns	Calhoon	Chumley
Davis	Dillard	Fry
Haddon	Hill	Hiott
Hixon	Huggins	Jones
Long	Magnuson	May
McCabe	McCravy	McGarry
A. M. Morgan	T. A. Morgan	D. C. Moss
Nutt	Oremus	Trantham
Whitmire		

Total--25

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

S. 901--CONFERENCE REPORT ADOPTED

S. 901 -- Conference Report

The General Assembly, Columbia, S.C., June 8, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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. A. Section 12-6-3775 as it existed on December 31, 2021, is reenacted retroactively, subject to the amendments contained in SECTION 2.

WEDNESDAY, JUNE 15, 2022

B. This SECTION takes effect upon approval by the Governor and applies to income tax years beginning after 2021.

C. Section 4 B. of Act 77 of 2019 is repealed.

SECTION 2. A. Section 12-6-3775 of the 1976 Code is amended to read:

“Section 12-6-3775. (A) For the purposes of this section, ‘solar energy property’ means any nonresidential solar energy equipment with a nameplate capacity of at least one thousand nine hundred kilowatts (1,900 kw AC) that uses solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, daylighting, generating electricity, distillation, desalination, detoxification, or the production of industrial or commercial process heat. The term also includes related devices necessary for collecting, storing, exchanging, conditioning, or converting solar energy to other useful forms of energy.

(B)(1) A taxpayer is allowed an income tax credit equal to twenty five percent of the cost, including the cost of installation, of a solar energy property if he constructs, purchases, or leases a solar energy property that is located in the State of South Carolina and if:

(a) the property is located on:

(i) the Environmental Protection Agency’s National Priority List;

(ii) the Environmental Protection Agency’s National Priority List Equivalent Sites;

(iii) a list of related removal actions, as certified by the Department of Health and Environmental Control;

(iv) land that is subject to a Voluntary Cleanup Contract with the Department of Health and Environmental Control as of December 31, 2017, or to corrective action under the Federal Resource Conservation and Recovery Act of 1976; or

(v) land that is owned by the Pinewood Site Custodial Trust; and

(b) he places it in service in this State during the taxable year.

(2) The credit is earned in the year in which the solar energy property is placed in service but must be taken in five equal annual installments, beginning ~~in~~ within three years of the year in which the solar energy property is placed in service. Unused credit may be carried forward for five taxable years from the year that the credit was able to be taken. A lessor shall give a taxpayer who leases solar energy property from him a statement that describes the solar energy property and states the cost of the property upon request. A credit is not allowed pursuant to

WEDNESDAY, JUNE 15, 2022

this section if the cost of the solar energy property is provided by public funds. For the purposes of this section, 'public funds' does not include federal grants or tax credits.

(C) If the solar energy property with respect to which the credit was claimed is disposed of, taken out of service, or moved out of the State in a year in which the installment of a credit accrues, then the credit expires and the taxpayer may not take any remaining installments of the credit.

(D) A credit for each installation of solar energy property placed in service may not exceed ~~two~~ five million ~~five hundred thousand~~ dollars. The credit is allowed on a first come, first served basis, and the total amount of credits available to be taken, pursuant to the five equal annual installments, for all taxpayers in a taxable year, may not exceed two million five hundred thousand dollars in the aggregate.

(E) A taxpayer who claims any other state credit allowed with respect to solar energy property may not take the credit allowed in this section with respect to the same property. A taxpayer may not take the credit allowed in this section for solar energy property that the taxpayer leases from another unless the taxpayer obtains the lessor's written certification that the lessor will not claim a credit pursuant to this section with respect to the property.

(F) The department may promulgate regulations necessary to implement the provisions of this section.

(G) To the extent that the taxpayer is a partnership or a limited liability company taxed as a partnership, the credit, including any unused credit amount carried forward, may be passed through to the partners or members and may be allocated among any of its partners or members on an annual basis including, without limitation, an allocation of the entire credit or unused carryforward to any partner or member who was a member or partner at any time in the year in which the credit or unused carryforward is allocated. The allocation must be allowed without regard to any provision of the Internal Revenue Code or regulations promulgated pursuant thereto, that may be interpreted as contrary to the allocation including, without limitation, the treatment of the allocation as a disguised sale. This subsection only applies to credits earned for a solar energy property placed in service after 2019."

B. This SECTION takes effect upon approval by the Governor and first applies to income tax years beginning after 2021.

SECTION 3. Article 9, Chapter 36, Title 12 of the 1976 Code is amended by adding:

WEDNESDAY, JUNE 15, 2022

“Section 12-36-922. For each accommodations tax return filed with multiple locations, the filer also must provide electronically the location information by address and the amount of net taxable sales for each location.”

SECTION 4. A. Section 12-36-2110(A)(1)(d) of the 1976 Code is amended to read:

“(d) boat and watercraft motor;”

B. This SECTION takes effect upon approval by the Governor and first applies on July 1, 2022.

SECTION 5. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3710. (A) For tax years beginning after 2021, there is allowed a tax credit for any taxpayer that hires a formerly incarcerated individual, after 2021 but before 2027, as a new employee in a registered apprenticeship program that has been validated by the United States Department of Labor. An employer who has one or more eligible employees is eligible to apply for and receive a credit against the taxes set forth in subsection (B). In the first year in which the credit is earned pursuant to subsection (D), the amount of the credit is three thousand dollars for each eligible employee. If the eligible employee remains employed and otherwise meets the requirements of this section thereafter, the credit is two thousand five hundred dollars in the second year, and one thousand dollars in the third year. The credit may not be claimed beyond the third year.

(B) The credit allowed pursuant to this section may be taken against the income taxes imposed pursuant to this chapter, the bank tax imposed pursuant to Chapter 11 of this title, the savings and loan association tax imposed pursuant to Chapter 13 of this title, the corporate license tax imposed pursuant to Chapter 20 of this title, and insurance premium taxes imposed pursuant to Chapter 7, Title 38.

(C) The total amount of the tax credit for a taxable year may not exceed the taxpayer’s tax liability. Any unused credit may not be carried over to apply to the taxpayer’s succeeding year’s liability.

(D)(1) The tax credit is earned in the year in which the formerly incarcerated individual first completes the twelfth consecutive month of employment with the taxpayer. The credit is earned in the same manner and on the same schedule in the second and third year of employment.

(2) The tax credit allowed by this section only may be claimed for an eligible individual once, regardless of the employer. The department shall consult with the Department of Commerce, Apprenticeship Carolina of the South Carolina Technical College System, and any other

WEDNESDAY, JUNE 15, 2022

agency or entity necessary to establish a process by which employers are aware of an individual's eligibility for the credit allowed by this section.

(E) Notwithstanding any other provision of this section, the credit allowed by this section only may be claimed if the formerly incarcerated individual is hired by the employer, after 2021 but before 2027, as a new employee in the registered apprenticeship program. If the individual is hired before 2027, then the employer may claim the credit for each year the individual is eligible and on the same schedule as provided in this section.

(F) The department may prescribe forms and promulgate regulations necessary to implement the provisions of this section, including requiring the necessary documentation to prove eligibility.

(G) Nothing in this section may be construed to allow an employer to claim this credit for a formerly incarcerated individual if the individual was hired before 2022.

(H) For purposes of this section:

(1) 'Full-time' has the same meaning as provided in Section 12-6-3360.

(2) 'Incarcerated individual' means an individual that, within three years of being hired in a qualifying apprenticeship program, was held in a state or county prison, jail, or detention center for at least ninety consecutive days, but does not include an individual incarcerated for a violent crime set forth in Section 16-1-60, unless such individual received a pardon for the offense or unless the only disqualifying violent crime resulted in a sentence of ten years or less under Section 44-53-370(E) or Section 44-53-375(C).

Section 12-6-3720. (A) For tax years beginning after 2021, there is allowed a tax credit for any taxpayer that hires a veteran of the Armed Forces of the United States, after 2021 but before 2027, as a new employee in a registered apprenticeship program that has been validated by the United States Department of Labor. An employer who has one or more eligible employees is eligible to apply for and receive a credit against the taxes set forth in subsection (B). In the first year in which the credit is earned pursuant to subsection (D), the amount of the credit is three thousand dollars for each eligible employee. If the eligible employee remains employed and otherwise meets the requirements of this section thereafter, the credit is two thousand five hundred dollars in the second year, and one thousand dollars in the third year. The credit may not be claimed beyond the third year.

(B) The credit allowed pursuant to this section may be taken against the income taxes imposed pursuant to this chapter, the bank tax imposed

WEDNESDAY, JUNE 15, 2022

pursuant to Chapter 11 of this title, the savings and loan association tax imposed pursuant to Chapter 13 of this title, the corporate license tax imposed pursuant to Chapter 20 of this title, and insurance premium taxes imposed pursuant to Chapter 7, Title 38.

(C) The total amount of the tax credit for a taxable year may not exceed the taxpayer's tax liability. Any unused credit may not be carried over to apply to the taxpayer's succeeding year's liability.

(D)(1) The tax credit is earned in the year in which the veteran first completes the twelfth consecutive month of employment with the taxpayer. The credit is earned in the same manner and on the same schedule in the second and third year of employment.

(2) The tax credit allowed by this section only may be claimed for an eligible individual once, regardless of the employer. The department shall consult with the Department of Commerce, Apprenticeship Carolina of the South Carolina Technical College System, and any other agency or department necessary to establish a process by which employers are aware of an individual's eligibility for the credit allowed by this section.

(E) Notwithstanding any other provision of this section, the credit allowed by this section only may be claimed if the veteran is hired, after 2021 but before 2027, by the employer as a new employee in the registered apprenticeship program. If the individual is employed before 2027, then the employer may claim the credit for each year the individual is eligible and on the same schedule as provided in this section.

(F) The department may prescribe forms and promulgate regulations necessary to implement the provisions of this section, including requiring the necessary documentation to prove eligibility.

(G) Nothing in this section may be construed to allow an employer to claim this credit for a veteran if the veteran was hired before the effective date of this section.

(H) For purposes of this section:

(1) 'Full-time' has the same meaning as provided in Section 12-6-3360.

(2) 'Veteran' means a person who served on active duty in the armed forces of the United States and who, within three years of being hired in a qualifying apprenticeship program, was honorably discharged or released from such service due to a service-connected disability."

SECTION 6. A. Section 12-10-30 of the 1976 Code is amended by adding an appropriately numbered item to read:

"() 'Related person' includes any entity or person that bears a relationship to a business as provided in Internal Revenue Code Section

WEDNESDAY, JUNE 15, 2022

267 or 707(b). The related person must be a ‘qualifying business’ as defined in item 1, except that the related person does not have to meet the requirements of Section 12-10-50(A)(1) or, in case the qualifying business qualifies for the credit against withholding for retraining pursuant to Section 12-10-95 of this Chapter, the related person does not have to meet the requirements of Section 12-10-50(B)(1).”

B. Section 12-10-80 of the 1976 Code is amended by adding an appropriately numbered item to read:

“() (a) For purposes of this chapter, a qualifying business may designate up to two related persons whose jobs and investments located at the project may be included to determine whether the qualifying business has met and maintained the minimum job requirement and minimum capital investment requirement. Qualified expenditures described in subsection (C) incurred by a related person may be treated as though such qualifying expenditures were incurred by the qualifying business for purposes of claiming the job development credit and each related person may claim the job development credit for the jobs created by such related person and include any qualifying expenditures of the qualifying business or another related person for purposes of claiming the job development credit as if created and made by the related person.

(b) A single-member limited-liability company that is not regarded as an entity separate from its owner and a qualified subchapter ‘S’ subsidiary as defined in Section 1361(b)(3)(B) of the Internal Revenue Code that is not regarded as a separate entity from the ‘S’ corporation that owns its stock, is treated as the qualifying business for all purposes under this chapter, including for purposes of claiming the job development credit against withholding but it counts as a related person for purposes of the limit described in subitem (a).”

SECTION 7. (A) Except as otherwise provided, this act takes effect upon approval by the Governor.

(B)(1) If a solar energy tax credit is earned and any portion taken pursuant to Section 12-6-3775 before 2022, then the provisions of Section 12-6-3775 as they existed on December 31, 2021, continue to apply to such credits until the credits have been fully claimed.

(2) If a solar energy tax credit is earned pursuant to Section 12-6-3775 after 2021, but before the effective date of this act, then the reenacted provisions of Section 12-6-3775, as amended pursuant to SECTION 2, apply.

(C) The provisions of Section 12-6-3775 are repealed on December 31, 2024, except that if the credit allowed by Section 12-6-3775 is earned

WEDNESDAY, JUNE 15, 2022

before the repeal, then the provisions of Section 12-6-3775, as amended, continue to apply until the credits have been fully claimed. /

Amend title to conform.

/s/Sen. Daniel Byron Verdin III	/s/Rep. Heather Ammons Crawford
/s/Sen. Tom Davis	/s/Rep. William Lee Hewitt III
/s/Sen. Kent M. Williams	/s/Rep. David Weeks
On Part of the Senate.	On Part of the House.

Rep. CRAWFORD explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 11

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Carter	Chumley	Clyburn
Collins	B. Cox	W. Cox
Crawford	Daning	Dillard
Elliott	Erickson	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
King	Kirby	Ligon
Long	Lowe	Magnuson
Matthews	McDaniel	McGarry
McGinnis	McKnight	T. Moore
A. M. Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Robbins
Robinson	Rose	Rutherford

WEDNESDAY, JUNE 15, 2022

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

Total--98

Those who voted in the negative are:

Calhoon	Davis	Felder
Gilliam	Haddon	Hill
May	McCabe	McCrary
T. A. Morgan	G. R. Smith	

Total--11

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

ACTING SPEAKER HIOTT IN CHAIR

S. 233--CONFERENCE REPORT REJECTED

S. 233 -- Conference Report

The General Assembly, Columbia, S.C., June 8, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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:

WEDNESDAY, JUNE 15, 2022

/ SECTION 1. Section 12-37-220(B)(1) of the 1976 Code is amended to read:

“(1)(a) the house owned by an eligible owner in fee or jointly with a spouse;

(b) the house owned by a qualified surviving spouse ~~acquired from the deceased spouse~~ and a house subsequently acquired by an eligible surviving spouse. The qualified surviving spouse shall inform the Department of Revenue of the address of a subsequent house;

(c) when a trustee holds legal title to a dwelling for a beneficiary and the beneficiary is a person who qualifies otherwise for the exemptions provided in subitems (a) and (b) and the beneficiary uses the dwelling as the beneficiary’s domicile, the dwelling is exempt from property taxation in the same amount and manner as dwellings are exempt pursuant to subitems (a) and (b);

(d) The Department of Revenue may require documentation it determines necessary to determine eligibility for the exemption allowed by this item.

(e) A person who owns an interest in a house and meets all other requirements of this item and is otherwise an eligible owner but for the ownership requirement is deemed to be an eligible owner and is eligible for the exemption allowed by this item so long as the county assessor certifies to the Department of Revenue that the house is located on heirs’ property and the person is the owner-occupied resident of the house. A person eligible pursuant to this subitem must not claim the special assessment rate allowed pursuant to Section 12-43-220(c) on any other property. For purposes of this item, heirs’ property has the same meaning as provided in Section 15-61-320.

(f) As used in this item:

(i) ‘eligible owner’ means:

(A) a veteran of the armed forces of the United States who is permanently and totally disabled as a result of a service-connected disability and who files with the Department of Revenue a certificate signed by the county service officer certifying this disability;

(B) a former law enforcement officer as further defined in Section 23-23-10, who is permanently and totally disabled as a result of a law enforcement service-connected disability;

(C) a former firefighter, including a volunteer firefighter as further defined in Chapter 80, Title 40, who is permanently and totally disabled as a result of a firefighting service-connected disability;

(ii) ‘permanently and totally disabled’ means the inability to perform substantial gainful employment by reason of a medically

WEDNESDAY, JUNE 15, 2022

determinable impairment, either physical or mental, that has lasted or is expected to last for a continuous period of twelve months or more or result in death;

(iii) 'qualified surviving spouse' means the surviving spouse of an individual described in subsubitem (i) while remaining unmarried, who resides in the house, and who owns the house in fee or for life. Qualified surviving spouse also means the surviving spouse of a member of the armed forces of the United States who was killed in action, or the surviving spouse of a law enforcement officer or firefighter who died in the line of duty as a law enforcement officer or firefighter, as these terms are further defined in Section 23-23-10 and Chapter 80, Title 40, ~~who at the time of death owned the house in fee or jointly with the now surviving spouse,~~ if the surviving spouse remains unmarried, resides in the house, and has acquired ownership of the house in fee or for life;

(iv) 'house' means a dwelling and the lot on which it is situated classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c). However, for an eligible owner that qualifies pursuant to item (1)(e), 'house' means a dwelling that is eligible to be classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c) except for the ownership requirement."

SECTION 2. A. Section 6-1-300(6) of the 1976 Code is amended to read:

"(6) 'Service or user fee' means a charge required to be paid in return for a particular government service or program ~~made available to the payer that benefits the payer in some manner different from the members of the general public not paying the fee.~~ 'Service or user fee' also includes 'uniform service charges'. The revenue generated from the fee must:

- (a) be used to the benefit of the payers, even if the general public also benefits;
- (b) only be used for the specific improvement contemplated;
- (c) not exceed the cost of the improvement; and
- (d) be uniformly imposed on all payers."

B. Section 6-1-330(A) of the 1976 Code is amended to read:

"(A) A local governing body, by ordinance approved by a positive majority, is authorized to charge and collect a service or user fee. A local governing body must provide public notice of any new service or user fee being considered and the governing body is required to hold a public hearing on any proposed new service or user fee prior to final adoption of any new service or user fee. Public comment must be received by the

WEDNESDAY, JUNE 15, 2022

governing body prior to the final reading of the ordinance to adopt a new service or user fee. A fee adopted or imposed by a local governing body prior to December 31, 1996, remains in force and effect until repealed by the enacting local governing body, notwithstanding the provisions of this ~~section~~ article.”

C. Section 6-1-330 of the 1976 Code is amended by adding appropriately lettered subsections to read:

“() A local governing body that repealed a road maintenance fee after June 30, 2021, and subsequently approved a millage increase for road maintenance, must repeal the millage imposed to replace the previous road maintenance fee before reimposing the road maintenance fee.

() A local governing body that imposes a user or service fee pursuant to Section 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county’s website.”

D. Notwithstanding Section 8-21-30, et seq., no public officer shall be personally liable for any amount charged pursuant to SECTION 2.A.

E. This SECTION takes effect upon approval by the Governor and applies retroactively to any service or fee imposed after December 31, 1996.

SECTION 3. A. Section 12-39-250(B) of the 1976 Code is amended to read:

“(B) Notwithstanding any other provision of law, the county tax assessor or the County Board of Assessment Appeals, upon application of the taxpayer, must order the County Auditor to make appropriate adjustments in the valuation and assessment of any real property and improvements which have sustained damage as a result of fire, flooding, hurricane, or wind event provided, that the application for correction of the assessment is made prior to payment of the tax.”

B. Section 12-37-220(B)(14) of the 1976 Code is amended to read:

“(14) all farm buildings and agricultural structures owned by a producer in this State used to house livestock, poultry, crops, farm equipment, or farm supplies and all farm machinery and equipment including self-propelled farm machinery and equipment except for motor vehicles licensed for use on the highways. For the purpose of this section ‘self-propelled farm machinery and equipment’ means farm machinery or equipment which contains within itself the means for its own locomotion. For purposes of this item, farm equipment includes greenhouses;”

C. This SECTION takes effect upon approval by the Governor and applies to property tax years beginning after 2021.

WEDNESDAY, JUNE 15, 2022

SECTION 4. This act takes effect upon approval by the Governor. /
Amend title to read:

/ TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6-1-300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; 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, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12-39-250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES. /

/s/Sen. Daniel B. Verdin III

/s/Rep. Heather Ammons Crawford

/s/Sen. Tom Davis

/s/Rep. Lee Hewitt

/s/Sen. Kent M. Williams

/s/Rep. J. David Weeks

On Part of the Senate.

On Part of the House.

Rep. HEWITT explained the Conference Report.

Rep. W. NEWTON spoke in favor of the Conference Report.

Rep. G. R. SMITH spoke against the Conference Report.

WEDNESDAY, JUNE 15, 2022

LEAVE OF ABSENCE

Acting SPEAKER HIOTT granted Rep. WILLIS a temporary leave of absence.

LEAVE OF ABSENCE

Acting SPEAKER HIOTT granted Rep. GOVAN a temporary leave of absence.

LEAVE OF ABSENCE

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

Rep. G. R. SMITH continued speaking.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. FINLAY spoke against the Conference Report.

LEAVE OF ABSENCE

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

Rep. BAMBERG spoke in favor of the Conference Report.

Rep. STAVRINAKIS spoke against the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 46; Nays 53

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Blackwell	Bradley
Brittain	Cobb-Hunter	Crawford
Dillard	Erickson	Fry
Gagnon	Garvin	Gatch
Gilliam	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hosey	Hyde
Jefferson	J. E. Johnson	K. O. Johnson
King	Kirby	McDaniel
McGarry	McGinnis	McKnight

WEDNESDAY, JUNE 15, 2022

Murray	B. Newton	W. Newton
Ott	Pendarvis	Rivers
Robinson	Rose	Taylor
Tedder	Weeks	R. Williams
S. Williams		

Total--46

Those who voted in the negative are:

Bennett	Bryant	Burns
Bustos	Calhoon	Carter
B. Cox	W. Cox	Daning
Davis	Felder	Finlay
Forrest	Gilliard	Hill
Hiott	Hixon	Huggins
Jones	Jordan	Ligon
Long	Lowe	Lucas
Magnuson	May	McCabe
McCrary	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	D. C. Moss
V. S. Moss	Nutt	Oremus
Parks	Pope	Rutherford
Sandifer	Simrill	G. R. Smith
M. M. Smith	Stavrinakis	Thayer
Thigpen	Trantham	West
Wetmore	White	Whitmire
Wooten	Yow	

Total--53

So, the Conference Report was rejected.

ABSTENTION FROM VOTING

I will not participate in the debate or vote on S. 233. In accordance with Sections 8-13-700(B) and 8-13-740 of the SC Code, I recuse myself from voting on the Bill due to a potential conflict of interest because an economic interest of myself and the business with which I am associated may be affected. I wish to have my recusal noted for the House Journal.

Rep. G. Murrell Smith, Jr.

WEDNESDAY, JUNE 15, 2022

ABSTENTION FROM VOTING

The Honorable G. Murrell Smith, Jr.
Speaker of the House of Representatives

Dear Speaker Smith,

I will not participate in the debate or vote on S. 233. In accordance with Sections 8-13-700(B) and 8-13-740 of the SC Code, I recuse myself from voting on the Bill due to a potential conflict of interest because an economic interest of myself and the business with which I am associated may be affected. I wish to have my recusal noted for the House Journal.

Sincerely,
Rep. Bruce Bannister

SPEAKER IN CHAIR

RECURRENCE TO THE MORNING HOUR

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

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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 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, Calhoon and Hixon: A BILL TO AMEND SECTION 11 11 310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11 11 320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF

WEDNESDAY, JUNE 15, 2022

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 FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS; BY ADDING SECTION 11 11 325 SO AS TO REQUIRE THE CAPITAL RESERVE FUND BE REDUCED BEFORE MIDYEAR BUDGET REDUCTIONS ARE MADE; TO AMEND SECTION 11 9 1140, RELATING TO THE REDUCTION FO GENERAL FUND APPROPRIATIONS, SO AS TO MAKE A CONFORMING CHANGE; 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.

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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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 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.

WEDNESDAY, JUNE 15, 2022

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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 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 PHASE IN A REDUCTION OF THE TOP MARGINAL RATE TO SIX PERCENT AND TO COLLAPSE OTHER INCOME TAX BRACKETS INTO THE BRACKET TO WHICH THE THREE PERCENT RATE APPLIES; TO AMEND SECTION 12 6 1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO REPEAL SECTION 12 6 515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION; 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 AND TO INCREASE THE APPLICABLE LIMIT; AND TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO INDIVIDUAL INCOME TAXPAYERS.

WEDNESDAY, JUNE 15, 2022

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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 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, 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.

WEDNESDAY, JUNE 15, 2022

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.

Very respectfully,
President
Received as information.

HOUSE RESOLUTION

The following was introduced:

H. 5425 -- Reprs. D. C. Moss, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 THANK JAMES V. "JAMIE" CAGGIANO, JR., FIRE CHIEF OF THE CITY OF GAFFNEY, FOR HIS PAST SERVICE AS PRESIDENT OF THE SOUTH CAROLINA FIREFIGHTERS ASSOCIATION AND TO CONGRATULATE HIM ON HIS OUTSTANDING LEADERSHIP IN SECURING THE STATEWIDE BENEFITS OUR FIREFIGHTERS SO RICHLY DESERVE.

The Resolution was adopted.

WEDNESDAY, JUNE 15, 2022

HOUSE RESOLUTION

The following was introduced:

H. 5426 -- Reps. D. C. Moss, T. Moore, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, A. M. Morgan, T. A. Morgan, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 GETTYS D. BROOME HIGH SCHOOL VARSITY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND FOR WINNING THE 2022 SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5427 -- Reps. Cobb-Hunter, 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, 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,

WEDNESDAY, JUNE 15, 2022

May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 RACHELLE JAMERSON-HOLMES OF ORANGEBURG, DISTRICT 1 VICE PRESIDENT FOR THE ATLANTA AREA COUNCIL OF THE AMERICAN BUSINESS WOMEN'S ASSOCIATION, ON BEING RECOGNIZED FOR HER CONTRIBUTIONS TO HER COMMUNITY AND THE ASSOCIATION AND TO WISH HER CONTINUED SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5428 -- 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 CONGRATULATE THE GRAY COLLEGIATE ACADEMY SOFTBALL TEAM, COACHES,

WEDNESDAY, JUNE 15, 2022

AND SCHOOL OFFICIALS FOR WINNING THEIR FIRST CLASS AA SOFTBALL STATE CHAMPIONSHIP.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5430 -- Reps. Davis, Caskey, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoun, Carter, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 HABITAT FOR HUMANITY FOR ITS OUTSTANDING ACCOMPLISHMENTS IN THE PALMETTO STATE AND TO DESIGNATE MONDAY, OCTOBER 3, 2022, AS WORLD HABITAT DAY IN THE STATE OF SOUTH CAROLINA IN RECOGNITION OF THE ORGANIZATION'S CONTINUING EFFORTS TO INCREASE THE INVENTORY OF AFFORDABLE HOMEOWNERSHIP IN OUR STATE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5431 -- Rep. McDaniel: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH

WEDNESDAY, JUNE 15, 2022

CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF VIOLA D. KENNEDY OF WINNSBORO, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5432 -- Reps. Murphy, Bennett, Gatch, Jefferson, Pendarvis, Robbins, Tedder, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, 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, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE HONORABLE VICTOR GLENN STEPHENS, SUMMARY COURT JUDGE IN DORCHESTER COUNTY, UPON THE OCCASION OF HIS RETIREMENT AFTER ALMOST THREE DECADES OF EXEMPLARY SERVICE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

WEDNESDAY, JUNE 15, 2022

HOUSE RESOLUTION

The following was introduced:

H. 5433 -- Reps. Elliott, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Haddon, A. M. Morgan, T. A. Morgan, Robinson, G. R. Smith, Trantham and Willis: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF HENRY CLYDE HARRISON, JR., OF GREENVILLE, TO CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5434 -- 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, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 EXTEND THE DEEPEST SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LOVING FAMILY AND MANY FRIENDS OF JOSEPH REYES OF FAIRFIELD COUNTY UPON HIS PASSING AND EXPRESS TO THEM THEIR PROFOUND SORROW.

WEDNESDAY, JUNE 15, 2022

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5435 -- 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, 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, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF GERTRUDE N. WASHINGTON OF WINNSBORO, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5436 -- Reps. J. Moore, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan,

WEDNESDAY, JUNE 15, 2022

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, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, 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 JULIO ERNESTO ESTRADA LOPEZ, JR., COLOMBIAN PERFORMING ARTIST, PRODUCER, AND ARRANGER, AND TO CONGRATULATE HIM ON HIS SUCCESSFUL CAREER.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5437 -- Repts. Tedder, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robbins, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXTEND THE DEEPEST SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LOVING FAMILY AND MANY FRIENDS OF KENNEDI ROCKEL

WEDNESDAY, JUNE 15, 2022

MURPHY-JENKINS OF CHARLESTON COUNTY UPON HER PASSING AND TO EXPRESS TO THEM THEIR PROFOUND SORROW.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 5429 -- Reps. B. Newton and McGarry: A CONCURRENT RESOLUTION TO CONGRATULATE GEORGE W. WALDROP, SR., WORLD WAR II VETERAN OF LANCASTER COUNTY, ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1358 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA NATIONAL GUARD AND THE REPUBLIC OF COLOMBIA UPON THE OCCASION OF THE TEN-YEAR ANNIVERSARY OF THEIR PARTNERSHIP AND TO RECOGNIZE TUESDAY, JUNE 28, 2022 AS "SIEMPRE JUNTOS DAY."

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

STATEMENT BY REP. SIMRILL

Rep. SIMRILL made a statement relative to Rep. LUCAS's service in the House.

STATEMENT BY REP. LUCAS

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

WEDNESDAY, JUNE 15, 2022

RESIGNATION

The following was received:

June 15, 2022
The Honorable G. Murrell Smith, Jr.
Speaker of the House
506 Blatt Building
Columbia, South Carolina 29201

Dear Speaker Smith:

It is with both excitement and sadness that I inform you of my decision to resign as a Member of the South Carolina House of Representatives effective upon adjournment of the House June 28, 2022. It has been the highest honor of my life to serve the people of District 65 for over two decades in the South Carolina House. I will carry the respect for and love of this institution with me for the remainder of my days, knowing that this House truly does the people's work.

I wish you the absolute best as you begin your time as Speaker of this House and I invite you to call on me if I can ever be of assistance to you.

Sincerely, your friend,
James H. Lucas
House District 65
Received as information.

S. 17--CONFERENCE REPORT ADOPTED

S. 17 -- Conference Report

The General Assembly, Columbia, S.C., June 14, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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:

WEDNESDAY, JUNE 15, 2022

/ Whereas, there exists a state of economic emergency in the State of South Carolina and the nation, which has drastically affected various segments of the South Carolina economy; and

Whereas, as a result of the COVID-19 pandemic, the economy has experienced a decline, including reduced demand, canceled orders, declining sales and rentals, and layoffs; and

Whereas, the current national economic downturn has severely weakened several industries due to closures and a dearth of buyers during the COVID-19 pandemic, uncertainty over the state of the economy, and increasing levels of unemployment; and

Whereas, it is the purpose of this joint resolution to help rectify some of the hardships currently being faced through an extension of permits.

Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This joint resolution must be known and may be cited as the “Permit Extension Joint Resolution of 2022”.

SECTION 2. As used in this resolution:

(1) ‘Department’ means the South Carolina Department of Health and Environmental Control.

(2) ‘Development’ means the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure or facility; or any grading, soil removal or relocation, excavation or landfill, or any use or change in the use of any building, other structure, land, or extension of the use of land.

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

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

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

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

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

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

WEDNESDAY, JUNE 15, 2022

the running of the period of the development approval and any associated vested right is suspended during the period beginning December 1, 2016, and ending December 31, 2023.

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. Within thirty days after the effective date of this joint resolution, each agency or subdivision of the State to which this joint resolution applies shall place a notice in the State Register listing the types of development approvals that the agency or subdivision issues and noting the extension provided in this joint resolution. This SECTION does not apply to units of local government.

SECTION 6. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

SECTION 7. This joint resolution takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Scott Talley

/s/Rep. Mark Nye Willis

WEDNESDAY, JUNE 15, 2022

/s/Sen. David Wesley “Wes” Climer
/s/Sen. Ronnie A. Sabb
On Part of the Senate.

/s/Rep. Wallace H. “Jay” Jordan, Jr.
/s/Rep. William W. “Will” Wheeler III
On Part of the House.

Rep. JORDAN explained the Conference Report.

The yeas and nays were taken resulting as follows:
Yeas 102; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Bannister	Bennett
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Cobb-Hunter	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Erickson	Felder
Finlay	Forrest	Fry
Garvin	Gatch	Gilliam
Gilliard	Haddon	Hardee
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	May
McCabe	McCrary	McDaniel
McGarry	McGinnis	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks

WEDNESDAY, JUNE 15, 2022

West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Yow

Total--102

Those who voted in the negative are:

Total--0

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**R. 189, S. 1180--RECONSIDER VOTE WHEREBY VETO
SUSTAINED**

Rep. HOSEY moved to reconsider the vote whereby the veto on the following Act was sustained, which was agreed to:

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. 189, S. 1180--GOVERNOR'S VETO SUSTAINED

The Veto on the following Act was taken up:

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

WEDNESDAY, JUNE 15, 2022

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.

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

Yeas 25; Nays 64

Those who voted in the affirmative are:

Anderson	Bamberg	Cobb-Hunter
Dillard	Garvin	Gilliard
Henderson-Myers	Henegan	Hosey
K. O. Johnson	King	Kirby
McDaniel	J. Moore	Murray
Ott	Pendarvis	Rose
Rutherford	Stavrinakis	Tedder
Thigpen	Weeks	Wheeler
R. Williams		

Total--25

Those who voted in the negative are:

Bailey	Bennett	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Chumley	W. Cox
Daning	Davis	Erickson
Felder	Finlay	Fry
Gatch	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hill	Hiott	Hixon

WEDNESDAY, JUNE 15, 2022

Huggins	Hyde	Jefferson
J. E. Johnson	Jones	Jordan
Ligon	Long	Lowe
Magnuson	May	McCrary
McGarry	McGinnis	T. Moore
A. M. Morgan	T. A. Morgan	D. C. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Pope
Robbins	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Thayer	Trantham
West	White	Whitmire
Yow		

Total--64

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

SPEAKER *PRO TEMPORE* IN CHAIR

**S. 233—CONFERENCE REPORT RECONSIDERED AND
ADOPTED**

Rep. J. MOORE moved to reconsider the vote whereby the conference report on the following Bill was rejected:

S. 233 -- Senator Turner: 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 PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6 1 300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; 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, TO REQUIRE

WEDNESDAY, JUNE 15, 2022

MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12 39 250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12 37 220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.

Rep. G. R. SMITH moved that the House do now adjourn.

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

Yeas 35; Nays 58

Those who voted in the affirmative are:

Bennett	Burns	Calhoon
Carter	Chumley	Daning
Davis	Felder	Finlay
Forrest	Haddon	Hill
Hiott	Huggins	Jordan
Long	Lowe	Magnuson
May	McCrary	T. Moore
A. M. Morgan	T. A. Morgan	Murphy
Nutt	Pope	Robbins
Rutherford	Sandifer	G. R. Smith
Stavrinakis	Thayer	Trantham
Whitmire	Willis	

Total--35

Those who voted in the negative are:

Anderson	Atkinson	Bailey
Bamberg	Blackwell	Bradley
Brittain	Bustos	Cobb-Hunter
B. Cox	W. Cox	Crawford
Dillard	Erickson	Fry

WEDNESDAY, JUNE 15, 2022

Garvin	Gatch	Gilliam
Gilliard	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	King	Kirby
Ligon	McCabe	McDaniel
McGarry	McGinnis	J. Moore
D. C. Moss	Murray	B. Newton
W. Newton	Oremus	Ott
Pendarvis	Rivers	Rose
Simrill	M. M. Smith	Taylor
Tedder	Thigpen	Weeks
West	White	R. Williams
S. Williams		

Total--58

So, the House refused to adjourn.

The question then recurred to the motion to reconsider the vote whereby the conference report was rejected.

Rep. MAGNUSON moved to table the motion.

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

Yeas 32; Nays 59

Those who voted in the affirmative are:

Bennett	Burns	Carter
Chumley	Daning	Davis
Felder	Finlay	Gilliam
Haddon	Hill	Hiott
Long	Magnuson	May
McCrary	T. Moore	A. M. Morgan
T. A. Morgan	D. C. Moss	Nutt
Pope	Rutherford	Sandifer
G. R. Smith	Stavrinakis	Thayer

WEDNESDAY, JUNE 15, 2022

Trantham	Wheeler	White
Whitmire	Yow	

Total--32

Those who voted in the negative are:

Anderson	Atkinson	Bailey
Bamberg	Blackwell	Bradley
Brittain	Bryant	Bustos
Calhoon	Cobb-Hunter	B. Cox
W. Cox	Crawford	Dillard
Erickson	Fry	Garvin
Gatch	Gilliard	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hixon
Hosey	Hyde	Jefferson
J. E. Johnson	K. O. Johnson	Jones
King	Kirby	Ligon
McCabe	McDaniel	McGarry
McGinnis	J. Moore	Murray
B. Newton	W. Newton	Oremus
Ott	Pendarvis	Rivers
Rose	Simrill	M. M. Smith
Taylor	Tedder	Thigpen
Weeks	West	R. Williams
S. Williams	Willis	

Total--59

So, the House refused to table the motion.

The question then recurred to the motion to reconsider the vote whereby the conference report was rejected, which was agreed to.

Rep. G. R. SMITH spoke against the Conference Report.

POINT OF ORDER

Rep. STAVRINAKIS raised the Point of Order that the motion to reconsider the vote whereby S. 233 was out of order. Rep. STAVRINAKIS stated that Mason's Manual Section 771.6 stated that if the Body rejects a conference report that the conference committee is

WEDNESDAY, JUNE 15, 2022

discharged and a new conference committee must be appointed. He stated that the House could not reconsider the vote because the House was violating Mason's Manual Section 771.6.

The *SPEAKER PRO TEMPORE* stated that Rep. STAVRINAKIS had correctly restated Section 771.6. But, the *SPEAKER PRO TEMPORE* stated that Mason's Manual was not the rules of the House and that it was only referenced when the Constitution, House Rules, and past practices and procedures did not address the issue. The *SPEAKER PRO TEMPORE* stated that the past practice of the House was to allow the reconsideration of any action of the House if the Body wished to do so. The *SPEAKER PRO TEMPORE* stated that the past practice of the House was that the House only discharged a conference committee if the Body approved a motion to discharge the conference committee and appoint a new conference committee to seek resolution of a bill or joint resolution in conference committee. The *SPEAKER PRO TEMPORE* overruled the Point of Order.

POINT OF ORDER

Rep. BURNS raised the Point of Order that a section within the conference report on S. 233 was not germane to the rest of the provisions of the conference report and should be ruled out of order and excised from the conference report.

The *SPEAKER PRO TEMPORE* overruled the Point of Order and stated that the issue of germaneness could not be raised upon a conference committee report. He explained that the question of germaneness could only be raised to challenge an amendment to a bill or resolution and that the House had one question to ultimately decide - whether to adopt or reject the conference report.

POINT OF ORDER

Rep. BURNS raised the Point of Order that the conference report violated the one-subject rule of Article III, Section 17, of the South Carolina constitution.

The *SPEAKER PRO TEMPORE* overruled the Point of Order and explained that the issue of one subject under Article III, Section 17, was a substantive question of law that could only be decided by a court of law while the presiding officer of the House could only rule upon procedural issues.

Rep. G. R. SMITH continued speaking.

WEDNESDAY, JUNE 15, 2022

Rep. RUTHERFORD spoke against the Conference Report.

Rep. STAVRINAKIS spoke against the Conference Report.

Rep. FINLAY spoke against the Conference Report.

Rep. MAGNUSON moved that the House do now adjourn.

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

Yeas 38; Nays 51

Those who voted in the affirmative are:

Bennett	Bernstein	Bryant
Burns	Bustos	Chumley
Daning	Davis	Felder
Finlay	Forrest	Gatch
Haddon	Hill	Hiott
Huggins	Jordan	Long
Magnuson	May	McCrary
T. Moore	T. A. Morgan	D. C. Moss
Murphy	Nutt	Pope
Robbins	Rose	Rutherford
Sandifer	G. R. Smith	M. M. Smith
Stavrinakis	Thayer	Trantham
Wheeler	Whitmire	

Total--38

Those who voted in the negative are:

Anderson	Atkinson	Bailey
Bamberg	Blackwell	Bradley
Brittain	Calhoon	Carter
Cobb-Hunter	B. Cox	W. Cox
Crawford	Dillard	Erickson
Fry	Garvin	Gilliard
Hardee	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hixon
Hosey	Hyde	J. E. Johnson
K. O. Johnson	Jones	King
Kirby	Lowe	McCabe

WEDNESDAY, JUNE 15, 2022

McDaniel	McGarry	McGinnis
J. Moore	Murray	B. Newton
W. Newton	Oremus	Ott
Pendarvis	Rivers	Taylor
Tedder	Weeks	Wetmore
White	R. Williams	Willis

Total--51

So, the House refused to adjourn.

The question then recurred to the adoption of the conference report.

The yeas and nays were taken resulting as follows:

Yeas 47; Nays 40

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bamberg	Blackwell	Bradley
Brittain	Cobb-Hunter	W. Cox
Crawford	Davis	Dillard
Erickson	Fry	Gatch
Gilliard	Hardee	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hixon	Hosey	Hyde
J. E. Johnson	K. O. Johnson	Jones
King	Kirby	Ligon
McCabe	McDaniel	McGarry
McGinnis	J. Moore	Murray
B. Newton	W. Newton	Oremus
Ott	Pendarvis	Taylor
Tedder	Weeks	West
R. Williams	Willis	

Total--47

Those who voted in the negative are:

Bennett	Bernstein	Bryant
Burns	Bustos	Carter
Chumley	Daning	Felder
Finlay	Forrest	Garvin

WEDNESDAY, JUNE 15, 2022

Haddon	Hill	Hiott
Jordan	Long	Lowe
Magnuson	May	McCrary
T. Moore	T. A. Morgan	D. C. Moss
Nutt	Pope	Rivers
Robbins	Rose	Rutherford
Sandifer	G. R. Smith	M. M. Smith
Stavrinakis	Thayer	Trantham
Wetmore	Wheeler	White
Whitmire		

Total--40

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

ABSTENTION FROM VOTING

I will not participate in the debate or vote on S. 233. In accordance with Sections 8-13-700(B) and 8-13-740 of the SC Code, I recuse myself from voting on the Bill due to a potential conflict of interest because an economic interest of myself and the business with which I am associated may be affected. I wish to have my recusal noted for the House Journal.

Rep. G. Murrell Smith, Jr.

ABSTENTION FROM VOTING

The Honorable G. Murrell Smith, Jr.
Speaker of the House of Representatives

Dear Speaker Smith,

I will not participate in the debate or vote on S. 233. In accordance with Sections 8-13-700(B) and 8-13-740 of the SC Code, I recuse myself from voting on the Bill due to a potential conflict of interest because an economic interest of myself and the business with which I am associated may be affected. I wish to have my recusal noted for the House Journal.

Sincerely,
Rep. Bruce Bannister

Rep. BRITTAIN moved that the House do now adjourn.

WEDNESDAY, JUNE 15, 2022

POINT OF ORDER

Rep. HILL raised the Point of Order that Rep. BRITTAIN's motion to adjourn was out of order because 15 minutes had not passed since the motion was last made and rejected by the House.

The SPEAKER *PRO TEMPORE* sustained the Point of Order and stated that 15 minutes had not passed since the motion to adjourn had last been made and rejected by the House.

S. 233--MOTION TO RECONSIDER TABLED

Rep. COBB-HUNTER moved to reconsider the vote whereby the conference report on the following Bill was adopted:

S. 233 -- Senator Turner: 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 PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6 1 300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; 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, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12 39 250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12 37 220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.

WEDNESDAY, JUNE 15, 2022

Rep. COBB-HUNTER moved to table the motion to reconsider, which was agreed to.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 1090:

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

Very Respectfully,

President

Received as information.

S. 1090--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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 1077:

WEDNESDAY, JUNE 15, 2022

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.

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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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 H. 3055:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48 22 40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING BY DECEMBER 31, 2022, AND AT LEAST EVERY SEVEN YEARS THEREAFTER, AND TO SHARE THE INFORMATION WITH THE DEPARTMENT'S FLOOD MITIGATION PROGRAM; TO AMEND SECTION 48 4 10, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF

WEDNESDAY, JUNE 15, 2022

THE DIVISIONS OF THE DEPARTMENT; 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 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 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, AS AMENDED, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO

WEDNESDAY, JUNE 15, 2022

MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 202:

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1 6 35 SO AS TO PROVIDE UNDER WHAT CIRCUMSTANCES THE STATE INSPECTOR GENERAL MAY INVESTIGATE CERTAIN SCHOOLS; AND TO AMEND SECTION 1 6 10, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, SO AS TO DEFINE NECESSARY TERMS.

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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 2022

Mr. Speaker and Members of the House:

WEDNESDAY, JUNE 15, 2022

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 243:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63 7 940, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63 7 1990, AS AMENDED, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63 7 20, AS AMENDED, RELATING TO CHILDREN'S CODE DEFINITIONAL TERMS, SO AS TO ADD A DEFINITION FOR "NEAR FATALITY".

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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 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.

WEDNESDAY, JUNE 15, 2022

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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 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 CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Very Respectfully,
President
Received as information.

WEDNESDAY, JUNE 15, 2022

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 901:

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.

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.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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 Free Conference on H. 3056:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF

WEDNESDAY, JUNE 15, 2022

CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

The Report of the Committee of Free 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.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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 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

WEDNESDAY, JUNE 15, 2022

COVERED DEVICES TO OFFER AN ELECTRONIC WASTE PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH PROGRAMS, INCLUDING POPULATION BASED COUNTY COLLECTION SITE STANDARDS; TO REQUIRE MANUFACTURERS TO REGISTER WITH AND SUBMIT AN ANNUAL MANUFACTURER ELECTRONIC WASTE PROGRAM PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES TO ACT ON BEHALF OF CERTAIN MANUFACTURERS; TO ESTABLISH CERTAIN REQUIREMENTS FOR COLLECTORS AND RECOVERERS; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE CIVIL AND CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE CHAPTER; 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.

Very Respectfully,
President
Received as information.

H. 4775--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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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 H. 3696:

H. 3696 -- Reps. Lucas, G. M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons,

WEDNESDAY, JUNE 15, 2022

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

Very Respectfully,
President
Received as information.

H. 3696--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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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 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;

WEDNESDAY, JUNE 15, 2022

AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

Very respectfully,
President
Received as information.

H. 4831--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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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 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, A. M. 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 OF CONSCIENCE, WITH EXCEPTIONS; TO ALLOW MEDICAL PRACTITIONERS AND HEALTH CARE INSTITUTIONS TO FILE

WEDNESDAY, JUNE 15, 2022

A COMPLAINT WITH THE STATE HUMAN AFFAIRS COMMISSION FOR AN ALLEGED VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44 41 55, RELATING TO THE RIGHT OF CERTAIN MEDICAL PROVIDERS NOT TO PARTICIPATE IN ABORTION PROCEDURES, SO AS ALSO TO APPLY TO MEDICAL STUDENTS.

Very respectfully,
President
Received as information.

H. 4776--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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 233:

S. 233 -- Senator Turner: 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 PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6 1 300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; 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, TO REQUIRE

WEDNESDAY, JUNE 15, 2022

MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12 39 250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12 37 220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.

Very respectfully,
President
Received as information.

S. 233--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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, June 15, 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. 1024:

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

WEDNESDAY, JUNE 15, 2022

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

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

**RATIFICATION OF ACTS
FOR MAY 18, 2022**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 18, 2022, at 10:30 a.m., and the following Acts and Joint Resolution were ratified:

(R. 197, H. 3166) -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: AN ACT 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 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.

(R. 235, S. 236) -- Senator Young: AN ACT TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE, AMONG OTHER THINGS,

WEDNESDAY, JUNE 15, 2022

THAT FOR PURPOSES OF MUNICIPAL PRIMARY ELECTIONS, ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS SHALL HAVE ITS OWN POLLING PLACE, THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS MAY NOT EXCEED THREE THOUSAND, AND THAT POOLED MUNICIPAL POLLING PLACES MUST NOT BE MORE THAN THREE MILES FROM THE NEAREST PART OF ANY POOLED PRECINCT.

(R. 236, S. 506) -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: AN ACT 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, AND 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.

(R. 237, 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; TO PROVIDE DEFINITIONS; AND TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT", SO AS TO DEFINE TERMS, ENCOURAGE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO ENCOURAGE COMPETITIVE EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES, TO CREATE THE SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION, AND TO OUTLINE ITS DUTIES AND OBLIGATIONS.

(R. 238, S. 628) -- Senator Davis: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHARMACY ACCESS ACT", BY ADDING SECTIONS 40-43-210,

WEDNESDAY, JUNE 15, 2022

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.

(R. 239, S. 1011) -- Senators Senn, Shealy, Stephens and Setzler: AN ACT 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

WEDNESDAY, JUNE 15, 2022

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 BY ADDING SECTION 44-130-75 SO AS TO ALLOW FOR DISTRIBUTION OF OPIOID ANTIDOTES BY HOSPITALS.

(R. 240, S. 1025) -- Senators Shealy, Hutto and Jackson: AN ACT 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.

(R. 241, S. 1031) -- Senators Campsen, Grooms, Senn, Loftis and Verdin: AN ACT TO AMEND SECTION 30-5-5, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS FOR ELIGIBILITY TO SERVE OR CONTINUE TO SERVE AS A REGISTER OF DEEDS, AND TO PROVIDE QUO WARRANTO ACTIONS MAY BE BROUGHT TO DETERMINE THE ELIGIBILITY OF A PERSON TO SEEK OR CONTINUE TO SERVE AS A REGISTER OF DEEDS; TO AMEND SECTION 30-5-90, RELATING TO THE TIME WITHIN WHICH A REGISTER OF DEEDS SHALL RECORD CERTAIN INSTRUMENTS, SO AS TO PROVIDE SUCH A REGISTER OF DEEDS SHALL FILE SUCH INSTRUMENTS WITHIN THIRTY DAYS AFTER ITS LODGMENT; TO PROVIDE CERTAIN PROVISIONS OF THIS ACT DO NOT APPLY TO PERSONS WHO HOLD THE OFFICE OF REGISTER OF DEEDS ON THE EFFECTIVE DATE OF THIS ACT AND DURING HIS TENURE IN OFFICE; AND TO PROVIDE AFFIRMATIVE DEFENSE TO QUO WARRANTO ACTIONS BROUGHT PURSUANT TO THIS ACT.

(R. 242, S. 1045) -- Senators Alexander and M. Johnson: AN ACT TO AMEND SECTION 58-23-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLES FOR COMPENSATION, SO AS TO PROVIDE FOR THE TRANSPORTATION OF HAZARDOUS WASTE FOR DISPOSAL OR HOUSEHOLD GOODS AND EXCEPTIONS; TO AMEND

WEDNESDAY, JUNE 15, 2022

SECTION 58-23-25, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, SO AS 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, RELATING TO THE DEFINITION OF "FOR COMPENSATION", SO AS TO PROPERLY DEFINE TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-40, RELATING TO CERTIFICATE AND FEE REQUIREMENTS, SO AS TO PROPERLY DEFINE TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-60, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, SO AS TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTIONS 58-23-210, 58-23-220, 58-23-230, 58-23-240, 58-23-250, 58-23-260, 58-23-270, AND 58-23-290, ALL RELATING TO CLASSES OF CERTIFICATES, ALL SO AS TO PROVIDE THE MANNER IN WHICH THE OFFICE OF REGULATORY STAFF ISSUES CLASS CERTIFICATES; TO AMEND SECTION 58-23-560, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, SO AS TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, SO AS TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600, RELATING TO TIME FOR PAYMENT OF FEES, SO AS TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910, RELATING TO INSURANCE AND BOND, SO AS TO PROVIDE INSURANCE REQUIREMENTS; TO AMEND SECTION 58-23-930, RELATING TO EXCEPTIONS FOR THE REQUIREMENT OF INSURANCE, SO AS TO REMOVE REFERENCES TO THE INTERSTATE COMMERCE COMMISSION; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090, RELATING TO RIGHTS AND DUTIES GENERALLY, SO AS TO PROVIDE FOR REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, SO AS TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE

WEDNESDAY, JUNE 15, 2022

TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 4-11-290, RELATING TO THE DISSOLUTION OF SPECIAL PURPOSE DISTRICTS, SO AS TO PROVIDE FOR THE DISSOLUTION OF A HOSPITAL DISTRICT THAT HAS AN AFFILIATED ORGANIZATION EXEMPT FROM TAX UNDER SECTION 501(C)(3) OR (4); TO REPEAL SECTIONS 58-23-300, 58-23-330, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060; AND TO REQUIRE THE PUBLIC SERVICE COMMISSION TO MAKE INFORMATION READILY AVAILABLE TO THE PUBLIC.

(R. 243, S. 1092) -- Senator Martin: AN ACT 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, SO AS TO ESTABLISH THE MINIMUM AGE FOR CERTAIN DETENTION AND CORRECTIONAL OFFICER CANDIDATES AS EIGHTEEN YEARS OF AGE.

(R. 244, S. 1237) -- Senators McLeod, Matthews, Shealy, Senn, Gustafson and Malloy: AN ACT 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; TO AMEND SECTION 56-3-14970, RELATING TO THE ISSUANCE OF CERTAIN MILITARY SERVICE SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE ISSUANCE OF "US SPACE FORCE" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-14940, RELATING TO THE ISSUANCE OF SERVICE-CONNECTED DISABILITY SPECIAL LICENSE PLATES, SO AS TO EXEMPT THESE LICENSE PLATES FROM THE REGULAR MOTOR VEHICLE REGISTRATION FEE, AND PROVIDE FOR REFUNDS OF CERTAIN REGISTRATION FEES; TO AMEND SECTION 56-3-14960, RELATING TO THE ISSUANCE OF MERITORIOUS SERVICE SPECIAL LICENSE PLATES, SO AS

WEDNESDAY, JUNE 15, 2022

TO PROVIDE FOR THE ISSUANCE OF “MERITORIOUS SERVICE MEDAL” SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-14980, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES SHOWING SUPPORT FOR MILITARY-RELATED PRIVATE ORGANIZATIONS, SO AS TO PROVIDE FOR THE ISSUANCE OF “SUPPORT OUR TROOPS” SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-14990, RELATING TO SURVIVING SPOUSES OBTAINING CERTAIN SPECIAL LICENSE PLATES ISSUED TO THEIR DECEASED SPOUSES, SO AS TO REVISE THE SPECIAL LICENSE PLATES SUBJECT TO THIS PROVISION; TO AMEND SECTION 56-3-15000, RELATING TO LICENSE PLATES ISSUED UNDER PREVIOUS AWARD CRITERIA, SO AS TO MAKE TECHNICAL CHANGES; AND TO REPEAL ARTICLE 20, CHAPTER 3, TITLE 56 RELATING TO SPECIAL LICENSE PLATES ISSUED TO MEMBERS OF FOREIGN CONSULATES.

(R. 245, H. 3037) -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: AN ACT TO AMEND SECTION 56-1-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR DRIVERS’ LICENSES AND PERMITS, SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE A FORM THAT ALLOWS APPLICANTS TO VOLUNTARILY DISCLOSE PERMANENT MEDICAL CONDITIONS, TO PROVIDE FOR A LIMITED NUMBER OF PERMANENT MEDICAL CONDITIONS THAT MAY BE CONTAINED IN MOTOR VEHICLE DRIVERS’ RECORDS, AND TO REVISE THE LIST OF PERSONS WHO MAY ACCESS MEDICAL INFORMATION CONTAINED IN DRIVERS’ RECORDS, TO AMEND SECTION 56-1-3350, AS AMENDED, RELATING TO APPLICATIONS FOR SPECIAL IDENTIFICATION CARDS, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE APPLICANTS MAY OBTAIN SPECIAL IDENTIFICATION CARDS THAT INDICATE THEY HAVE VOLUNTARILY DISCLOSED PERMANENT MEDICAL CONDITIONS, AND PROVIDE FOR LIMITED DISCLOSURE OF THIS INFORMATION.

(R. 246, H. 3050) -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: AN ACT TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

WEDNESDAY, JUNE 15, 2022

THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE THIS PROVISION APPLIES TO LAW ENFORCEMENT OFFICERS EMPLOYED OR APPOINTED AFTER JULY 1, 2022, TO PROVIDE NONCERTIFIED LAW ENFORCEMENT OFFICERS SHALL ONLY PERFORM DUTIES AS LAW ENFORCEMENT OFFICERS WHILE ACCOMPANIED BY CERTIFIED LAW ENFORCEMENT OFFICERS, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 23-23-150, RELATING TO THE ADJUDICATION OF ALLEGATIONS OF MISCONDUCT BY LAW ENFORCEMENT OFFICERS, SO AS TO DEFINE THE DEFINITION OF THE TERM "MISCONDUCT", TO REVISE THE CRITERIA A SHERIFF OR CHIEF EXECUTIVE OFFICER OF A LAW ENFORCEMENT AGENCY OR DEPARTMENT MUST USE WHEN FILING A REPORT OF MISCONDUCT AGAINST A LAW ENFORCEMENT OFFICER, TO PROVIDE THE PROCEDURE FOR PROSECUTING INCIDENCES OF MISCONDUCT, AND TO PROVIDE FOR THE IMPOSITION OF CIVIL FINES AGAINST AGENCIES THAT FAIL TO COMPLY WITH THIS SECTION; BY ADDING SECTION 23-1-250 SO AS TO PROVIDE FOR THE LAWFUL USE OF CHOKEHOLDS OR CAROTID HOLDS, TO PROVIDE WILFUL USE OF EXCESSIVE FORCE MAY BE CONSIDERED MISCONDUCT BY A LAW ENFORCEMENT OFFICER AND SUBJECT TO DISCIPLINARY ACTION, AND TO PROVIDE FOR THE DEVELOPMENT OF CURRICULA AND STANDARDS TO ADDRESS JUSTIFIABLE USE OF CHOKEHOLDS AND CAROTID HOLDS; BY ADDING SECTION 23-23-85 SO AS TO PROVIDE FOR ESTABLISHMENT OF MINIMUM STANDARDS REQUIRED OF LAW ENFORCEMENT AGENCIES BY THE LAW ENFORCEMENT TRAINING COUNCIL, AND PROVIDE THE COUNCIL WITH THE AUTHORITY TO TAKE PUNITIVE ACTION AGAINST LAW ENFORCEMENT AGENCIES THAT FAIL TO COMPLY WITH STANDARDS ISSUED PURSUANT TO THIS SECTION; BY ADDING SECTION 23-23-160 SO AS TO ESTABLISH A COMPLIANCE DIVISION WITHIN THE LAW ENFORCEMENT TRAINING COUNCIL AND PROVIDE ITS RESPONSIBILITIES; TO AMEND SECTION 23-23-100, RELATING TO COMPLIANCE WITH PROVISIONS ENFORCED BY THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO REVISE THIS PROVISION; TO AMEND SECTION 23-23-60, RELATING TO THE ISSUANCE OF

WEDNESDAY, JUNE 15, 2022

CERTIFICATES OF COMPLIANCE BY THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO ADD ADDITIONAL EVIDENCES A LAW ENFORCEMENT AGENCY MUST SUBMIT TO THE COUNCIL ABOUT A CANDIDATE BEING CONSIDERED FOR CERTIFICATION; AND TO AMEND SECTION 16-23-20, AS AMENDED, RELATING TO THE UNLAWFUL CARRYING OF HANDGUNS, SO AS TO ALLOW RETIRED COMMISSIONED LAW ENFORCEMENT OFFICERS TO CARRY THEM ABOUT THEIR PERSONS.

(R. 247, H. 3291) -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: AN ACT TO AMEND SECTION 16-11-600, CODE 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.

(R. 248, H. 4062) -- Reps. Sandifer and West: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-21 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSIONERS TO RECEIVE SUBSISTENCE ALLOWANCES UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-3-22 SO AS TO PROVIDE PROCEDURES FOR THE PUBLIC SERVICE COMMISSION TO RECEIVE TECHNICAL AND LEGAL ADVICE NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT; TO AMEND SECTION 58-3-20, RELATING TO THE MEMBERSHIP AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO REVISE THE QUALIFICATIONS; AND TO EXPRESS FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE IMPORTANCE OF ECONOMIC DEVELOPMENT AND THE ROLE THAT ELECTRICITY AND RENEWABLE ENERGY PLAY IN IT, TO DEFINE NECESSARY TERMS, TO ENCOURAGE ELECTRIC UTILITIES TO PROVIDE THE DEPARTMENT OF COMMERCE OR A PROSPECTIVE MANUFACTURING ENTITY WITH RATE PROPOSALS, TO PROVIDE PARAMETERS FOR AGREEMENTS THAT CONTAIN ECONOMIC DEVELOPMENT RATES, AND TO PROVIDE THAT FEDERAL, STATE, AND LOCAL LAWS AND ORDINANCES MUST BE FOLLOWED, AMONG OTHER THINGS.

WEDNESDAY, JUNE 15, 2022

(R. 249, H. 4075) -- Reps. Wetmore, Stavrinakis and Weeks: AN ACT TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO DELETE THE TERM "ADJUDICATED DELINQUENT", MAKE TECHNICAL CHANGES, TO PROVIDE PERSONS CONVICTED OF CERTAIN OFFENSES WOULD BE REFERRED TO AS EITHER TIER I , TIER II, OR TIER III OFFENDERS; BY ADDING SECTION 23-23-436 SO AS TO REQUIRE CERTAIN PERSONS ADJUDICATED DELINQUENT FOR A TIER III OFFENSE TO REGISTER AS SEX OFFENDERS; TO AMEND SECTION 23-3-460, RELATING TO BIENNIAL LIFETIME REGISTRATION FOR SEX OFFENDERS, SO AS TO PROVIDE OFFENDERS CAN BE REMOVED FROM THE SEX OFFENDER REGISTRY UNDER CERTAIN CIRCUMSTANCES, AND TO REQUIRE SEX OFFENDERS REGISTER WITHIN THREE DAYS OF BEGINNING EMPLOYMENT AT A SCHOOL; BY ADDING SECTIONS 23-3-462 AND 23-3-463 SO AS TO PROVIDE FOR THE TERMINATION OF THE REGISTRATION REQUIREMENTS FOR SEX OFFENDERS WHO HAVE SUCCESSFULLY COMPLETED CERTAIN REQUIREMENTS OR UPON COURT ORDER; TO AMEND SECTION 23-3-490, RELATING TO PUBLIC INSPECTION OF THE SEX OFFENDER REGISTRY, SO AS TO PROVIDE INFORMATION CONTAINED IN THE REGISTRY MAY BE MADE AVAILABLE BY ELECTRONIC MEANS AND TO ELIMINATE CERTAIN RESTRICTIONS PLACED ON THE RELEASE OF THIS INFORMATION, AND TO PROVIDE FOR THE RELEASE OF INFORMATION FOR PERSONS ADJUDICATED DELINQUENT FOR COMMITTING TIER III OFFENSES; BY ADDING SECTION 23-3-538 SO AS TO PROVIDE CERTAIN TERMS AND THEIR DEFINITIONS, TO PROVIDE LAW ENFORCEMENT AGENCIES THAT DETERMINE SEX OFFENDERS ARE IN VIOLATION OF THIS SECTION MUST NOTIFY THE SEX OFFENDERS OF THE VIOLATION, AND TO PROVIDE PENALTIES FOR CERTAIN SEX OFFENDERS WHO CONTINUE TO ENGAGE IN CERTAIN ACTIVITIES AFTER RECEIVING NOTICE; TO PROVIDE THAT THIS ACT IS RETROACTIVE AND APPLIES TO CERTAIN RESIDENTS WHO CURRENTLY ARE REQUIRED TO REGISTER AS SEX OFFENDERS; AND BY ADDING SECTION 23-3-437 SO AS TO PROVIDE FOR REMOVAL FROM THE SEX OFFENDER

WEDNESDAY, JUNE 15, 2022

REGISTRY FOR CERTAIN JUVENILES UNDER CERTAIN CIRCUMSTANCES.

(R. 250, H. 5182) -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 58 TO TITLE 11 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 5429 -- Reps. B. Newton and McGarry: A CONCURRENT RESOLUTION TO CONGRATULATE GEORGE W. WALDROP, SR., WORLD WAR II VETERAN OF LANCASTER COUNTY, ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION.

ADJOURNMENT

At 5:52 p.m. the House, in accordance with the motion of Rep. S. WILLIAMS, adjourned in memory of Alex Flint, and in accordance with S. 1325, the Sine Die Adjournment Resolution, to meet at 12:00 noon in Statewide Session on Tuesday, June 28.***