

NO. 18

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

TUESDAY, FEBRUARY 9, 2021

Tuesday, February 9, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 141:3

In Psalms we read:

“Set a guard over my mouth, O Lord; keep watch over the door of my lips.”

Let us pray: Dear Lord, the poetic imagery used by the Psalmist in this verse rings true even in this day and time. How often are those occasions when the words that slip from our mouth defy the truth of the moment. How frequently do our words hit chords of misunderstanding on the part of our listeners. How difficult we sometimes make life and the world around ourselves when we let our words flow in rash and uncontrolled fashion.

Lord, grant to all of us the wisdom to be far more careful of all that we say: in the hallways, in committee meetings, during dinners, here on the floor. The people of South Carolina are listening, just as are those across this entire land. Lead everyone of us to be responsible speakers, weighing each thought and phrase with care. May we all do so to Your ultimate glory, Lord God. In our Savior’s loving name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:02 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Leave of Absence

At 12:03 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 1:00 P.M.

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Leave of Absence

At 2:47 P.M., Senator ALEXANDER requested a leave of absence for Senator CORBIN for the week.

Leave of Absence

At 2:47 P.M., Senator TURNER requested a leave of absence for Senator SENN for the balance of the day.

Leave of Absence

At 6:03 P.M., Senator GOLDFINCH requested a leave of absence for Senator GAMBRELL for the balance of the day.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator ALEXANDER, with unanimous consent, the remarks of Senator MARTIN, when reduced to writing and made available to the Desk, would be printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

- S. 107 Sen. Senn
- S. 113 Sen. Climer
- S. 147 Sens. Kimbrell and Grooms
- S. 211 Sen. Sabb
- S. 242 Sen. Campsen
- S. 271 Sens. Garrett and Campsen
- S. 290 Sen. Peeler
- S. 378 Sen. Senn
- S. 441 Sens. Hutto and Jackson
- S. 497 Sen. Peeler
- S. 499 Sen. Climer
- S. 510 Sen. Scott
- S. 516 Sens. Grooms and Martin
- S. 521 Sen. Cromer
- S. 525 Sen. Garrett

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

- S. 516 Sen. Gustafson

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RECALLED AND COMMITTED

S. 308 -- Senator Fanning: A BILL TO AMEND SECTION 44-1-143, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO ALLOW A HOME-BASED FOOD PRODUCTION OPERATION TO SELL FOOD TO AN INFORMED PERSON AND TO REQUIRE A DISCLOSURE ON CERTAIN FOOD PRODUCTS.

Senator FANNING asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

There was no objection and the Bill was recalled from the Committee on Medical Affairs.

On the motion of Senator FANNING, with unanimous consent, the Bill was committed to the Committee on Agriculture and Natural Resources.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 529 -- Senator Senn: A BILL TO AMEND SECTION 38-77-170 OF THE 1976 CODE, RELATING TO CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF A MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, TO PROVIDE THAT THERE MAY BE A RIGHT OF ACTION OR RECOVERY UNDER THE UNINSURED MOTORIST PROVISION IF THE INSURED CAN PROVE BY PHOTOGRAPHIC OR VIDEO EVIDENCE THAT THE DAMAGE OR INJURY WAS CAUSED BY AN UNKNOWN VEHICLE.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 530 -- Senator Shealy: A BILL TO AMEND SECTION 25-11-40 OF THE 1976 CODE, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, TO PROVIDE FOR THE FUNDING OF COUNTY VETERANS' AFFAIRS OFFICES, TO PROVIDE FOR THE APPOINTMENT OF OFFICERS, AND TO PROVIDE THAT OFFICERS MUST COMPLETE A TRAINING AND BE ISSUED ACCREDITATION WITHIN NINETY DAYS AFTER

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APPOINTMENT; AND TO REPEAL SECTION 25-11-45 OF THE 1976 CODE, RELATING TO APPROPRIATIONS TO COUNTY TREASURER'S OFFICES TO MAINTAIN COUNTY VETERANS' AFFAIRS OFFICES.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 531 -- Senators Cash, Kimbrell, M. Johnson, Loftis, Shealy, Hembree, Verdin, Rice, Adams, Garrett, Young, Gustafson, Climer, Goldfinch, Massey, Grooms, Turner, Talley, Gambrell, Matthews and Cromer: A BILL TO ENACT THE "SAVE WOMEN'S SPORTS ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS EDUCATIONAL PROVISIONS, BY ADDING SECTION 59-1-500, TO PROVIDE THAT PUBLIC AND PRIVATE MIDDLE SCHOOL-LEVEL AND HIGH SCHOOL-LEVEL TEAMS AND SPORTS MUST BE DESIGNATED BASED ON BIOLOGICAL SEX, TO PROVIDE THAT TEAMS OR SPORTS DESIGNATED FOR FEMALES MUST BE RESTRICTED TO STUDENTS OF THE FEMALE SEX, TO PROVIDE CERTAIN PROTECTIONS FOR PUBLIC AND PRIVATE SCHOOLS, AND TO PROVIDE CERTAIN RELIEF FOR VIOLATIONS.

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Read the first time and referred to the Committee on Education.

S. 532 -- Senator Davis: A BILL TO AMEND TITLE 37 OF THE 1976 CODE, RELATING TO THE CONSUMER PROTECTION CODE, BY ADDING CHAPTER 31, TO PROVIDE FOR EARNED INCOME ACCESS, TO PROVIDE PROCEDURES FOR EARNED INCOME ACCESS SERVICES, TO PROVIDE THAT EARNED INCOME ACCESS SERVICES, PAYMENTS, OR FEES FOR SERVICES SHALL NOT BE CONSTRUED AS LENDING ACTIVITY OR LOANS; TO PROVIDE A REGISTRATION PROCESS, TO PROVIDE A COMPLAINT AND APPEALS PROCESS, TO PROVIDE THAT THE DEPARTMENT OF CONSUMER AFFAIRS MAY PROMULGATE REGULATIONS, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Banking and Insurance.

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S. 533 -- Senator Shealy: 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.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 534 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "RESTORE AMERICA'S FOUNDATION ACT" BY AMENDING SECTION 59-29-120, RELATING TO AMERICAN FOUNDING PRINCIPLES INSTRUCTION REQUIRED IN PUBLIC HIGH SCHOOLS AND PUBLICLY SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE SPECIFIC REQUIREMENTS CONCERNING INSTRUCTION IN UNITED STATES FOUNDATIONAL HISTORY IN PUBLIC HIGH SCHOOLS; TO AMEND SECTION 59-120-130, RELATING TO THE DURATION OF REQUIRED AMERICAN FOUNDING PRINCIPLES INSTRUCTION, SO AS TO LIMIT ITS APPLICATION WITH RESPECT TO PUBLIC INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 59-29-140, RELATING TO THE REQUIREMENT THAT THE STATE SUPERINTENDENT OF EDUCATION PRESCRIBE CERTAIN TEXTS FOR USE IN REQUIRED AMERICAN FOUNDING PRINCIPLES INSTRUCTION, SO AS TO SPECIFY CERTAIN TEXTS THAT MUST BE INCLUDED; TO AMEND SECTION 59-29-155, RELATING TO RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND THE EDUCATION OVERSIGHT COMMITTEE, SO AS TO MAKE CONFORMING CHANGES; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

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Read the first time and referred to the Committee on Education.

S. 535 -- Senator Grooms: A BILL TO AMEND SECTION 16-11-760(B) OF THE 1976 CODE, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER OR LIENHOLDER OF A VEHICLE PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND

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SECTION 29-15-10(A), (B), AND (E) OF THE 1976 CODE, RELATING TO LIENS FOR REPAIRS OR STORAGE, TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630(A) AND (C) OF THE 1976 CODE, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES AND RELATED PROVISIONS, TO PROVIDE THAT A TOWING COMPANY OR STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES AND RELATED PROVISIONS, 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 OF THE 1976 CODE, RELATING TO THE SALE OF UNCLAIMED VEHICLES, TO MAKE CONFORMING CHANGES.

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Read the first time and referred to the Committee on Judiciary.

S. 536 -- Senators Harpootlian, Talley, Scott, Hutto, McElveen and Kimbrell: A BILL TO AMEND SECTION 61-6-20(2) OF THE 1976 CODE, RELATING TO THE DEFINITION OF BONA FIDE ENGAGED PRIMARILY AND SUBSTANTIALLY IN THE PREPARATION AND SERVING OF MEALS, TO PROVIDE THAT SUCH A BUSINESS MUST DERIVE GROSS REVENUE FROM ITS SALE OF MEALS AND FOODS, AND NON-ALCOHOLIC BEVERAGES, THAT IS NOT LESS THAN FIFTY-ONE PERCENT OF ITS TOTAL GROSS REVENUE FROM THE SALE OF MEALS AND FOODS, NON-ALCOHOLIC BEVERAGES, AND ALCOHOLIC BEVERAGES.

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Read the first time and referred to the Committee on Judiciary.

S. 537 -- Senators Scott and Shealy: A BILL TO AMEND SECTION 1-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA COMMISSION ON HUMAN AFFAIRS, SO AS TO DELETE A DUPLICITOUS

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REPORTING REQUIREMENT; TO AMEND SECTION 1-13-70, RELATING TO THE POWERS OF THE COMMISSION, SO AS TO PROVIDE THAT THE COMMISSION MAY REQUIRE REPORTS FROM ALL EMPLOYERS; TO AMEND SECTION 1-13-90, RELATING TO THE DUTIES OF THE COMMISSION, SO AS TO PROVIDE A PROCEDURE FOR A FINDING OF AN UNLAWFUL DISCRIMINATORY PRACTICE AND TO EXTEND THE TIME BY WHICH A COMPLAINANT MAY BRING AN ACTION IN CIRCUIT COURT; TO AMEND SECTION 31-21-120, RELATING TO COMPLAINTS INVOLVING DISCRIMINATORY HOUSING PRACTICES, SO AS TO DELETE A REQUIREMENT THAT THE COMPLAINT AND ANSWER BE VERIFIED; AND TO AMEND SECTION 31-21-140, RELATING TO CIVIL ACTIONS FOR DISCRIMINATORY HOUSING PRACTICES, SO AS TO PROVIDE CERTAIN FILING REQUIREMENTS FOR INDIVIDUALS.

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Read the first time and referred to the Committee on Judiciary.

S. 538 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 80 TO TITLE 2 SO AS TO ENTITLE THE CHAPTER REVIEW OF PRESIDENTIAL EXECUTIVE ORDERS, TO PROVIDE THAT THE GENERAL ASSEMBLY, EITHER OF ITS RESPECTIVE BODIES, A STANDING COMMITTEE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, OR NOT LESS THAN FIVE MEMBERS OF THE GENERAL ASSEMBLY MAY REVIEW ANY PRESIDENTIAL EXECUTIVE ORDER NOT AFFIRMED BY CONGRESS AND MAY RECOMMEND THAT THE ATTORNEY GENERAL REVIEW A PRESIDENTIAL EXECUTIVE ORDER TO DETERMINE ITS CONSTITUTIONALITY UNDER CERTAIN CIRCUMSTANCES.

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Read the first time and referred to the Committee on Judiciary.

S. 539 -- Senators Loftis, Talley, Bennett, Cromer, Hutto, Kimbrell, Gambrell, Rankin and Harpootlian: A BILL TO AMEND SECTION 38-75-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMISSIONS PAID BY A TITLE INSURER, SO AS TO REMOVE THE CAP ON THE COMMISSION.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 540 -- Senator Hutto: 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 ADDITIONAL CIRCUMSTANCES WHEREBY THE HOUSE OF A QUALIFYING SURVIVING SPOUSE IS EXEMPT.

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Read the first time and referred to the Committee on Finance.

H. 3435 -- Reps. King and Brawley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CRAWFORD ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH HAMPTON ROAD TO ITS INTERSECTION WITH HECKLE BOULEVARD IN YORK COUNTY "BROTHER DAVID BOONE MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Read the first time and referred to the Committee on Transportation.

H. 3436 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MARK ROAD IN DILLON COUNTY FROM ITS INTERSECTION WITH BLACK BRANCH ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 "REVEREND JOHN L. BRYANT, JR. HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3438 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY IN THE CITY OF UNION FROM THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 49 WEST AND INDUSTRIAL PARK ROAD AND CONTINUING ON SOUTH CAROLINA HIGHWAY 496 ALONG UNION BOULEVARD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 49 EAST "REVEREND MARTIN LUTHER KING, JR.

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MEMORIAL HIGHWAY" IN HONOR OF DR. MARTIN LUTHER KING, JR., AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3662 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 601 IN CALHOUN COUNTY FROM ITS INTERSECTION WITH INABINET ROAD TO ITS INTERSECTION WITH THE ST. MATTHEWS TOWN LIMIT "OTHNIEL WIENGES, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

HOUSE CONCURRENCE

S. 179 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 701 NORTH FROM ITS INTERSECTION WITH THE CITY LIMITS OF THE CITY OF LORIS TO A POINT ONE MILE NORTH OF THIS INTERSECTION, AND THE PORTION OF UNITED STATES HIGHWAY 701 SOUTH FROM ITS INTERSECTION WITH THE CITY LIMITS OF THE CITY OF LORIS TO A POINT ONE MILE SOUTH OF THIS INTERSECTION "HENRY L. NICHOLS HIGHWAY", AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG BOTH PORTIONS OF HIGHWAY THAT CONTAIN THESE WORDS.

Returned with concurrence.

Received as information.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 515 -- Senators Stephens and Hutto: A BILL TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES' DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD'S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

On motion of Senator HUTTO.

**READ THE THIRD TIME
SENT TO THE HOUSE**

S. 107 -- Senators Campsen, Climer and Senn: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

Senator CLIMER explained the Bill.

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

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S. 287 -- Senators Gambrell and Loftis: A BILL TO AMEND SECTION 40-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, AND SECTION 40-45-240, RELATING TO APPLICANTS FOR LICENSURE BY ENDORSEMENT FOR LICENSEES FROM OTHER JURISDICTIONS, BOTH SO AS TO REQUIRE CERTAIN FINGERPRINT-SUPPORTED STATE AND NATIONAL CRIMINAL RECORDS CHECKS FOR INITIAL LICENSURE APPLICANTS, TO PROVIDE THE RESULTS OF THESE RECORDS CHECKS MUST BE PROVIDED TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO AUTHORIZE THE STATE LAW ENFORCEMENT DIVISION TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, TO PROVIDE APPLICANTS MUST BARE RELATED COSTS, AND TO PROVIDE THE DEPARTMENT SHALL KEEP INFORMATION RECEIVED PURSUANT TO THIS ACT CONFIDENTIAL, SUBJECT TO AN EXCEPTION.

**READ THE THIRD TIME
SENT TO THE HOUSE**

S. 516 -- Senators Massey, Malloy, Cromer, Climer, M. Johnson, K. Johnson, Williams, Rice, Jackson, Adams, Goldfinch, Kimbrell, Garrett, Talley, Bennett, Hembree, Loftis, Campsen, Scott, Turner, McLeod, Matthews, Grooms and Martin: A JOINT RESOLUTION TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IDENTIFY CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF AS MISSION-CRITICAL WORKERS AND INDIVIDUALS WHO ARE ELIGIBLE FOR VACCINATION UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COORDINATE WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A PLAN THAT WILL OFFER THE OPPORTUNITY TO CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF TO BE FULLY VACCINATED WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION, TO PROVIDE THAT EVERY SCHOOL DISTRICT MUST OFFER FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION TO STUDENTS NO LATER THAN TWO WEEKS AFTER CERTIFIED TEACHERS AND SUPPORT STAFF HAVE BEEN OFFERED THE OPPORTUNITY TO BE FULLY VACCINATED, AND TO PROVIDE

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THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST ENSURE THAT ALL SOUTH CAROLINA RESIDENTS WHO ARE ELIGIBLE UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN WHO HAVE RECEIVED A FIRST VACCINE DOSE AS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION ARE OFFERED THE OPPORTUNITY FOR FULL VACCINATION WITHIN THE APPROPRIATE RECOMMENDED TIME PERIOD.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS spoke on the Bill.

Senator MALLOY proposed the following amendment (516R003.SP.GM), which was withdrawn:

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

/SECTION __. (A) Upon the effective date of this joint resolution, the Department of Health and Environmental Control shall identify daycare workers as mission-critical workers and individuals who are eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan.

(B) The Department of Health and Environmental Control shall implement a plan that will offer the opportunity to daycare workers to be fully vaccinated within thirty days of the effective date of this joint resolution.

(C) Notwithstanding subsection (B), the Department of Health and Environmental Control must ensure that all South Carolina residents who are eligible under Phase 1a of the South Carolina COVID-19 Vaccination Plan who have received a first vaccine dose as of the effective date of this joint resolution are offered the opportunity for full vaccination within the appropriate recommended time period. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Motion Adopted

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

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Senators HEMBREE, CROMER and FANNING proposed the following amendment (516R004.SP.GH), which was withdrawn:

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

/SECTION __. For the purpose of employing any person to serve in the state's public school system while the State recovers from the COVID-19 pandemic, the earnings limitation for retired state employees does not apply for a period of three years from the effective date of this joint resolution, provided that the person has been retired for at least one year from the effective date of this joint resolution. /

Re-number sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Motion Adopted

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

PRESIDENT PRESIDES

At 4:19 P.M., the PRESIDENT assumed the Chair.

Senator DAVIS proposed the following amendment (516R007.SP.TD), which was not adopted:

Amend the joint resolution, as and if amended, by striking all after the title and inserting:

/Whereas, the COVID-19 pandemic has forced many school districts to replace in-person classroom instruction with virtual instruction; and

Whereas, virtual instruction is no substitute for in-person classroom instruction; and

Whereas, a COVID-19 vaccine is currently available for distribution in this State for mission-critical workers; and

Whereas, certified teachers and school support staff should be identified as mission-critical because of the vital role they play in the education and development of our state's children; and

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Whereas, vaccinating certified teachers and school support staff must not take away any vaccine supply from other mission-critical workers and individuals; and

Whereas, vaccinating certified teachers and school support staff must not necessitate the cancellation of vaccination appointments that individuals eligible to receive the vaccine have scheduled with a health care provider; and

Whereas, it is imperative that, within the constraints imposed by the preceding clause, we return students to in-person, five-day classroom instruction as quickly and safely as possible while providing a safe environment for our certified teachers and school support staff. Now, therefore,

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

SECTION 1. (A). Upon the effective date of this joint resolution, the Department of Health and Environmental Control shall identify certified teachers and school support staff, as defined by the Department of Education, as mission-critical workers and individuals who are eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan.

(B) The Department of Health and Environmental Control, in coordination with the Department of Education and local school districts, shall implement a plan that will offer the opportunity to certified teachers and school support staff to be fully vaccinated during a time period beginning at seven o'clock a.m. on Monday, March 15, 2021 and ending at seven o'clock p.m. on Monday, March 22, 2021.

(C) After certified teachers and support staff have been offered the opportunity to be fully vaccinated, every school district must offer five-day, in-person classroom instruction to students.

(D) Notwithstanding subsection (B), the Department of Health and Environmental Control must ensure that all South Carolina residents who are eligible under Phase 1a of the South Carolina COVID-19 Vaccination Plan who scheduled an appointment with a healthcare provider to receive either a first or second dose of the vaccine, do not have those scheduled appointments canceled or delayed, except to the extent that such cancellations or delays are consented to by said residents in accordance with subsection (E) as of the effective date of this joint resolution.

(E) Commencing on the effective date of this joint resolution, each health care provider in the State that has scheduled first-dose vaccinations for individuals shall contact those individuals and inquire as to whether they would be willing to delay their first-dose

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appointments in order to facilitate a supply of doses for vaccinations to certified teachers and school support staff as provided in subsection (B), provided, however, that this obligation shall terminate upon the Department of Health and Environmental Control's certification in accordance with subsection (F) that a sufficient number of doses have been secured to provide the vaccinations referenced in subsection (B).

(F) The Department of Health and Environmental Control shall certify when a sufficient number of doses are available to effect the vaccinations referenced in subsection (B).”

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

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator MASSEY spoke on the amendment.

The question being the adoption of the amendment.

The amendment failed.

Senator HEMBREE proposed the following amendment (516R008.SP.GH), which was adopted:

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

/SECTION __. For the purpose of employing any person to serve in the state's public school system while the State recovers from the COVID-19 pandemic, the earnings limitation for retired state employees is increased to fifty thousand dollars until June 30, 2024, provided that the person has been retired for at least two years from the effective date of this joint resolution. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

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Senator MALLOY proposed the following amendment (516R011.SP.GM), which was adopted:

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

/SECTION __. (A) Upon the effective date of this joint resolution, the Department of Health and Environmental Control shall identify daycare workers as mission-critical workers and individuals who are eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan.

(B) Notwithstanding subsection (A), the Department of Health and Environmental Control must ensure that all South Carolina residents who are eligible under Phase 1a of the South Carolina COVID-19 Vaccination Plan who have received a first vaccine dose as of the effective date of this joint resolution are offered the opportunity for full vaccination within the appropriate recommended time period. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator GUSTAFSON proposed the following amendment (516R010.SP.PG), which was tabled:

Amend the joint resolution, as and if amended, by striking all after the title and inserting:

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

SECTION 1. Every school district must offer five-day, in-person classroom instruction to students no later than March 29, 2021.

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

Renumber sections to conform.

Amend title to conform.

Senator GUSTAFSON explained the amendment.

Senator CASH spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--40

NAYS

Gustafson

Total--1

The amendment was laid on the table.

Senator CASH proposed the following amendment (516R012.SP.RJC), which was withdrawn:

Amend the joint resolution, as and if amended, on page 2, by striking lines 29 through 37 and inserting:

/ (B) Every school district must resume in-person classroom instruction in the manner in which it was provided prior to the COVID-19 pandemic to all students no later than the Monday following each school district's scheduled spring break.

(C) A school site may be used as a site to vaccinate certified teachers and school support staff. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 3 through 5.

Renumber sections to conform.

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Amend title to conform.

Senator CASH explained the amendment.

Motion Adopted

On motion of Senator CASH, with unanimous consent, the amendment was withdrawn.

Senators MARTIN, JACKSON, FANNING, MARTIN and CASH proposed the following amendment (516R013.SP.SRM), which was adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 29 through 37 and inserting:

/ (B) Every school district must offer five-day, in-person classroom instruction to students no later than the Monday following each school district's scheduled spring break.

(C) A school site may be used as a site to vaccinate certified teachers and school support staff. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 3 through 5.

Re-number sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator JACKSON spoke on the amendment.

The amendment was adopted.

Having voted on the prevailing side, Senator FANNING moved to reconsider the vote whereby the amendment was adopted.

The motion failed.

Senator CASH proposed the following amendment (516R014.SP.RJC), which was not adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 29 through 37 and inserting:

/ (B) Every school district must offer in-person classroom instruction in the manner in which it was provided prior to the COVID-19 pandemic to all students no later than the Monday following each school district's scheduled spring break.

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(C) A school site may be used as a site to vaccinate certified teachers and school support staff. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 3 through 5.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question being adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 2; Nays 40

AYES

Cash

Rice

Total--2

NAYS

Adams

Alexander

Allen

Bennett

Campsen

Climer

Cromer

Davis

Fanning

Garrett

Goldfinch

Grooms

Gustafson

Harpootlian

Hembree

Hutto

Jackson

Johnson, Kevin

Johnson, Michael

Kimbrell

Kimpson

Leatherman

Loftis

Malloy

Martin

Massey

Matthews

McElveen

McLeod

Peeler

Rankin

Sabb

Scott

Setzler

Shealy

Stephens

Talley

Turner

Williams

Young

Total--40

The amendment failed.

The question being third reading of the Resolution.

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Senator HARPOOTLIAN spoke on the Resolution.

Remarks to be Printed

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator HARPOOTLIAN, when reduced to writing and made available to the Desk, would be printed in the Journal.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the third time, passed and ordered sent to the House with amendments.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

H. 3707 -- Ways and Means Committee: A JOINT RESOLUTION
TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC

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HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (DG\3707C003.NBD.DG21):

Amend the joint resolution, as and if amended, by striking SECTIONS 2 and 3 and inserting:

/ SECTION 2. (A) The Executive Budget Office shall establish the COVID-19 Vaccine Reserve account to be maintained by the Executive Budget Office and administered as set forth in this section.

(B) From the Contingency Reserve Fund, there is appropriated \$100,000,000 to the COVID-19 Vaccine Reserve account. The Executive Budget Office only may release funds in the account upon receipt of a letter signed by the Director of DHEC. DHEC shall allocate funds to eligible COVID-19 vaccine providers in support of statewide vaccination efforts. DHEC shall reimburse eligible providers only after affirming the recipient is a COVID-19 vaccination provider enrolled and activated by DHEC, that DHEC has determined that the request will assist the State in its effort to achieve statewide vaccination, and that the enrolled and activated provider has the vaccine implementation capacity to justify the request.

(C)(1) From the funds appropriated in this section, the Executive Budget Office shall allocate up to \$75,000,000 to hospitals, or a political subdivision of the State partnering with the same, to pay for the costs of administering the COVID-19 vaccine.

(2) From the funds appropriated in this section, the Executive Budget Office shall allocate up to \$25,000,000 to other COVID-19 vaccination providers, or a political subdivision of the State partnering with the same, that are enrolled and activated by DHEC, to pay for the costs of administering the COVID-19 vaccine.

(3) For purposes of this section, eligible costs of administering the COVID-19 vaccine include, but are not limited to, those vaccination costs associated with staffing, facility rental, security, traffic control, storage, transportation, mobile health units including the purchase, upfitting, staffing, and operations thereof, and technology that have not been reimbursed by an insurer's administration fee.

(D) In approving expenses, DHEC must give priority to hospitals and other COVID-19 vaccine providers that are enrolled and activated by DHEC that can prove or have proven a high demand for the vaccine and the ability to meet the demand.

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(E) Notwithstanding any other provision of this section, the Director of DHEC may not authorize the Executive Budget Office to release any funds from the COVID-19 Vaccine Reserve account to any vaccine provider that is not offering vaccine appointments to the general public.

(F) On the first day of each month, the Executive Budget Office shall provide a detailed accounting of the expenditure of all funds appropriated pursuant to this section. The report shall be transmitted to the Governor, the General Assembly, and made available on the website of the Executive Budget Office. Additionally, any recipient must provide an accounting of the expenditures to DHEC and DHEC must post the accounting on its website.

SECTION 3. (A)(1) Where appropriate and feasible, hospitals, medical providers, and other stakeholders receiving distributions pursuant to this joint resolution also shall seek reimbursement from an individual's public or private health insurer.

(B) To maximize the benefit of all funds received by the State, DHEC and MUSC shall work with the Department of Administration to assure that available federal funds are utilized for the purposes of this joint resolution appropriately and minimize the use of state funds where possible.

(C) If hospitals, medical providers, and other stakeholders receive distributions pursuant to this joint resolution also receive reimbursements from insurers or federal funds for the same purposes, then the distributions pursuant to this joint resolution exceeding the actual costs of vaccine administration must be remitted back to the agency or fund that distributed the funds.

(D) The provisions of this joint resolution shall apply to the extent permitted by federal law. /

Amend the joint resolution further, by striking SECTION 5 and inserting:

/ SECTION 5. A. (A) Beginning fourteen days after the effective date of this joint resolution, all vaccines received by the state which have not already been set for distribution must be allocated to the four DHEC public health regions in a per-capita manner with considerations taken into account for factors, including but not limited to poverty level, infection rates, age, and high-risk populations. From the funds appropriated in this act or from other COVID-19 related appropriations, MUSC shall coordinate with DHEC and partner with local healthcare providers to ensure that gaps in statewide vaccination delivery are covered, with priority given to rural and underserved areas.

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(B) DHEC shall allocate vaccines so that they are distributed in a manner that ensures that each of its four public health regions shall receive a per-capita allocation, as described in subsection (A). In making allocations to specific vaccine providers, DHEC shall consider the recommendations of its COVID-19 Vaccine Regional Advisory Panels, one of which shall be established in each of the four public health regions as follows:

(1) Each panel shall meet weekly initially, but this frequency may be reduced with DHEC's consent.

(2) At its first meeting, each panel shall select a Chairman from among its members, who shall preside over the panel's meetings. This Chairman must have extensive healthcare experience within the panel's designated region. In the event of a future vacancy, the Chair shall be filled in this same manner.

(3) Each panel must include representation from affected stakeholders and vaccine providers within the region, including but not limited to hospitals, primary care practices, pharmacies, rural health clinics, and the South Carolina Primary Care Association and any other Federally Qualified Health Centers.

(4) Based upon the region's vaccine allocation provided by the department, the panel shall adopt a specific recommendation for allocating vaccines to individual providers and review the plan at subsequent meetings. This recommendation must be transmitted to the department immediately upon initial adoption and upon subsequent revision and must be based upon the following priorities:

(a) Rural and underserved communities must have equitable access to receive the COVID-19 vaccine;

(b) Available vaccines must be administered to South Carolinians as rapidly as possible, to ensure that no doses are permitted to expire, and to position South Carolina favorably in the event that any future federal allocations to states may be based in part upon a state's ability to expeditiously administer the vaccine;

(c) Each panel must consider which providers are best equipped to handle specific manufacturers' forms of the vaccine, such as those requiring ultra-cold storage; and

(d) Panels' recommendations must be informed by their review of the most current and comprehensive data available as to how vaccines have already been administered within their regions, including how the vaccination rate varies by geography, race, age, income, or other relevant factors.

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(C) Notwithstanding any other provision of this joint resolution, DHEC may retain up to five percent of each weekly dose allocation in inventory to maximize its ability to quickly and efficiently respond to changes in need throughout the week.

B. This SECTION terminates and is no longer effective when the Director of the Department of Health and Environmental Control determines that the demands for the vaccine no longer exceed the supply of the vaccine. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the committee amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (3707R002.SP.GM), which was adopted:

Amend the joint resolution, as and if amended, on page 3, line 3, by inserting an appropriately lettered new subsection to read:

/ () An entity that is identified in SECTION 1(A) as a recipient of appropriations from the Contingency Reserve Fund shall not be eligible to receive additional funds pursuant to SECTION 2. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator ALEXANDER proposed the following amendment (DG\3707C004.NBD.DG21), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTIONS 5 and 6 and inserting:

/ SECTION 5. A.(A) Beginning fourteen days after the effective date of this joint resolution, all first dose vaccines received by the State which have not already been set for distribution must be allocated to the four DHEC public health regions in a per-capita manner with considerations taken into account for factors including, but not limited to, poverty level, infection rates, age, and high-risk populations. From the funds appropriated in this act or from other COVID-19 related appropriations, MUSC shall coordinate with DHEC and partner with

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local healthcare providers to ensure that gaps in statewide vaccination delivery are covered, with priority given to rural and underserved areas.

(B) DHEC shall allocate first dose vaccines so that they are distributed in a manner that ensures that each of its four public health regions shall receive a per-capita allocation, as described in subsection (A). In making allocations to specific vaccine providers, DHEC shall consider the recommendations of its COVID-19 Vaccine Regional Advisory Panels, one of which shall be established in each of the four public health regions as follows:

(1) The Director of DHEC shall appoint the following to each panel:

(a) one member representing a rural hospital designated by the South Carolina Hospital Association;

(b) one member representing an urban hospital designated by the South Carolina Hospital Association;

(c) one member designated by the South Carolina Medical Association;

(d) one member designated by the South Carolina Office of Rural Health;

(e) one member designated by the South Carolina Primary Health Care Association;

(f) one member designated by the South Carolina Pharmacy Association;

(g) one member designated by the South Carolina Retail Association;

(h) one member from the Alliance for a Healthier South Carolina;

(i) one nonvoting member designated by DHEC; and

(j) one nonvoting member designated by MUSC.

Within five days of the effective date of this joint resolution, the designating organizations shall submit the names of recommended designees to DHEC.

(2) Each panel shall meet weekly initially, but this frequency may be reduced by the chairman of the panel with DHEC's consent.

(3) At its first meeting, each panel shall select a chairman from among its members, who shall preside over the panel's meetings. This chairman must have extensive healthcare experience within the panel's designated region. In the event of a future vacancy, the chair shall be filled in this same manner.

(4) Based upon the region's vaccine allocation provided by the department, the panel shall adopt a specific recommendation for

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allocating first dose vaccines to providers and review the plan at subsequent meetings. This recommendation must be transmitted to DHEC, on a form created by the department, immediately upon initial adoption and upon subsequent revision and must be based upon the following priorities:

(a) Rural and underserved communities must have equitable access to receive the COVID-19 vaccine;

(b) Available vaccines must be administered to South Carolinians as rapidly as possible, to ensure that no doses are permitted to expire, and to position South Carolina favorably in the event that any future federal allocations to states may be based in part upon a state's ability to expeditiously administer the vaccine;

(c) Each panel must consider which providers are best equipped to handle specific manufacturers' forms of the vaccine, such as those requiring ultra-cold storage; and

(d) Panels' recommendations must be informed by their review of the most current and comprehensive data available as to how vaccines have already been administered within their regions, including how the vaccination rate varies by geography, race, age, income, or other relevant factors.

(C) Notwithstanding any other provisions of this joint resolution, DHEC may retain up to five percent of each weekly dose allocation in inventory to maximize its ability to quickly and efficiently respond to changes in need throughout the week.

B. This SECTION terminates and is no longer effective when the Director of the Department of Health and Environmental Control determines that the demands for the vaccine no longer exceed the supply of the vaccine.

SECTION 6. A.(A) Beginning fourteen days after the effective date of this joint resolution, the Department of Health and Environmental Control shall provide a daily report, detailing:

(1) the total number of COVID-19 vaccine doses in inventory as of that day;

(2) the total number of COVID-19 vaccine doses received that day itemized by manufacturer;

(3) the total number of COVID-19 vaccine doses that the State is presently eligible to receive but has not yet drawn, itemized by manufacturer.

(4) the total number of COVID-19 vaccine doses in inventory as of that day that are intended to be administered as a first dose and the number that are intended to be administered as a second dose; and

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(5) the total number of COVID-19 vaccine doses that are distributed or redistributed to each administering entity that day, itemized by manufacturer.

The daily report also shall provide a cumulative report detailing the same.

(B) DHEC also shall tabulate the reports required by subsection (C), and include in the daily report required by subsection (A), the cumulative total of vaccines administered. The cumulative totals of vaccines administered also must be shown, numerically and graphically, as a percentage of the State as a whole, and demonstrate how many more vaccines must be given until the next category of individuals are eligible for the vaccine. The cumulative totals of vaccines administered also must be shown, numerically and graphically by the zip code of the patient.

(C) Each administering entity shall provide a daily report to the Department of Health and Environmental Control detailing:

(1) the total number of COVID-19 vaccine doses in inventory as of that day, itemized by manufacturer;

(2) the total number of COVID-19 vaccines administered that day;

(3) the total number of upcoming appointments for a COVID-19 vaccine scheduled as of that day; and

(4) the total number of COVID-19 vaccines administered that day as a first dose and the number administered that day as a second dose, if applicable.

The daily report also shall provide a cumulative report for the entity detailing the same.

An administering entity may satisfy the reporting requirements of this subsection, subject to DHEC approval, if it makes such information available through the Vaccine Administration Management System or another existing reporting mechanism approved by DHEC.

(D) Each administering entity also must establish a tracking process to ensure that individuals either receive their first and second dose from the same entity or receive information necessary for obtaining their second dose from another entity.

(E) The reports required by this section must be posted daily on the department's website.

B. This SECTION terminates and is no longer effective when South Carolina is no longer under a declared public health emergency concerning COVID-19. /

Re-number sections to conform.

Amend title to conform.

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Senator ALEXANDER explained the amendment.

Senator GROOMS spoke on the amendment.

The question being the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 12

AYES

Alexander	Allen	Bennett
Davis	Fanning	Gambrell
Garrett	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Setzler	Shealy
Stephens	Turner	Williams
Young		

Total--31

NAYS

Adams	Campsen	Cash
Climer	Cromer	Goldfinch
Grooms	Loftis	Malloy
Martin	Rice	Talley

Total--12

The amendment was adopted.

Senators GROOMS and CLIMER proposed the following amendment (3707R005.KMM.LKG), which was adopted:

Amend the joint resolution, as and if amended, SECTION 5.A., by striking subsection (B) and inserting:

/ (B) DHEC shall allocate vaccines so that they are distributed in a manner that ensures that each of its four public health regions shall receive a per-capita allocation, as described in subsection (A). DHEC's allocations to specific vaccine providers must:

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(1) take into consideration recommendations from affected stakeholders and vaccine providers within the region, including, but not limited to, hospitals, primary care practices, pharmacies, rural health clinics, and the South Carolina Primary Care Association and any other federally qualified health centers; and

(2) be based upon the following priorities:

(a) rural and underserved communities must have equitable access to receiving the COVID-19 vaccine;

(b) available vaccines must be administered to South Carolinians as rapidly as possible, to ensure that no doses are permitted to expire and to position South Carolina favorably in the event that any future federal allocations to states may be based in part upon a state's ability to expeditiously administer the vaccine;

(c) which providers are best equipped to handle specific manufacturers' forms of the vaccine, such as those requiring ultra-cold storage; and

(d) the most current and comprehensive data available concerning how vaccines have already been administered within each region, including how the vaccination rate varies by geography, race, age, income, or other relevant factors. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

Senator ALEXANDER spoke on the amendment.

Senator CASH spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator CLIMER spoke on the amendment.

Senator MARTIN spoke on the amendment.

Senator SABB spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 20

AYES

Adams	Bennett	Campsen
Cash	Climer	Cromer
Fanning	Goldfinch	Grooms

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Gustafson	Harpootlian	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rice	Shealy	Talley
Turner	Young	

Total--23

NAYS

Alexander	Allen	Davis
Gambrell	Garrett	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Leatherman	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Setzler
Stephens	Williams	

Total--20

The amendment was adopted.

On motion of Senator MALLOY, the Resolution was carried over.

**COMMITTEE AMENDMENT TABLED
CARRIED OVER**

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (378R001.SP.WC), which was tabled:

Amend the bill, as and if amended, on page 1, by striking line 26 and inserting:

~~/fined not less than five hundred dollars nor more than one thousand/~~

Amend the bill further, as and if amended, on page 1, by striking lines 31 through 33 and inserting:

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/ (1) must be fined not ~~less than two thousand dollars nor~~ more than ~~five~~ ten thousand dollars and, imprisoned not ~~less than one year nor~~ more than five years, or both; /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the committee amendment.

The amendment was tabled.

Senator CASH proposed the following amendment (WAB\378C001.RT.WAB21), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 47-3-630(B)(1) and inserting:

/ (1) must be fined not ~~less than two thousand dollars nor~~ more than ~~five~~ ten thousand dollars and, imprisoned not ~~less than one year nor~~ more than ~~five~~ ten years, or both; /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

S. 131 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10-11-330 OF THE 1976 CODE, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10-1-30 OF THE 1976 CODE, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2-3-100 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE SERGEANTS AT ARMS, TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF

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REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 242 -- Senators Young and Campsen: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY

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ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator YOUNG explained the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 271 -- Senators Talley, Turner, Rice, Adams, Verdin, Setzler, M. Johnson, Kimbrell, McElveen, Climer, Garrett and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG271C001.NBD.DG21), which was adopted:

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

/ SECTION ____ . A. Section 12-65-20(4)(b) of the 1976 Code, as last amended by Act 50 of 2019, is further amended to read:

“(b) Notwithstanding the provisions of item (4)(a), with respect to (i) any site acquired by a taxpayer before January 1, 2008, (ii) a site located on the Catawba River near Interstate 77, or (iii) a site which, on the date the notice of intent to rehabilitate is filed, is located in a distressed area of a county in this State, as designated by the applicable council of government, ‘textile mill site’ means the textile mill structure, together with all land and improvements which were used directly for textile manufacturing operations or ancillary uses, or were located on the same parcel or a contiguous parcel within one thousand feet of any textile mill structure or ancillary uses. For purposes of this subitem, ‘contiguous parcel’ means any separate tax parcel sharing a common boundary with an adjacent parcel or separated only by a private or public ~~road~~ roads and railroad rights of way.”

B. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2020. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The amendment was adopted.

Senator TALLEY spoke on the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--42

NAYS

Matthews

Total--1

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

ADOPTED

S. 486 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HIGHWAY 17-A AT ITS CROSSING OF THE CSX MAIN LINE IN MONCK'S CORNER "STEVE C. DAVIS VIADUCT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

TUESDAY, FEBRUARY 9, 2021

MOTION ADOPTED

On motion of Senator SHEALY, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSER, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LEATHERMAN, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, RICE, SABB, SCOTT, SENN, SETZLER, STEPHENS, TALLEY, VERDIN, WILLIAMS and YOUNG with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Anne Summers Turner of Greenville, S.C. Ms. Turner was the mother of our beloved Senator Turner. She enjoyed working in the yard, arranging flowers, playing bridge and spending time with her family. She loved going to Litchfield Beach and Clemson tailgates. Ms. Turner was a member of Eastlan Baptist Church and volunteered for various clubs, schools and organizations. Ms. Turner was a loving mother and devoted grandmother who was a blessing to all who knew her and will be dearly missed.

and

MOTION ADOPTED

On motion of Senators HUTTO and STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Heyward Livingston, Jr. of North, S.C. Heyward was a lifelong member of Livingston United Methodist Church. He was a United States Army veteran and served on the Orangeburg County Council over 20 years. Farming and being with his family were some of his favorite ways to spend time. Heyward was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 6:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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TUESDAY, FEBRUARY 9, 2021

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