

NO. 55

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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WEDNESDAY, APRIL 14, 2021

**Wednesday, April 14, 2021**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., 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 46:2-3

Friends, hear the Word of the Lord: “Therefore we will not fear, though the earth give way and the mountains fall into the heart of the sea, though the waters roar and foam and the mountains quake with their surging.”

Let us pray: Holy God, it really does feel as if the earth has crumbled around us as we view and read the news these days. Our hearts still ache from all of the horrific images from January 6<sup>th</sup> at our Nation’s Capitol, as well as the terrible reports of the violent shootings in Rock Hill just last Wednesday. Tragic actions seem to go on and on and on. We pray, O Lord, that you will lead us here in our Nation and in our State to move beyond such senselessness, to become finally the people You truly call us to be: those who are rational, thoughtful, caring, even loving. Continue guiding these Senators and their staff members as they wrestle with matters great and small. And grant to all of us Your gifts of hope and of peace. We pray all this in Your wondrous name, Lord. Amen.

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

**Point of Quorum**

At 1:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett

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Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Malloy	Martin	Massey
Peeler	Rice	Sabb
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 5002

Agency: Department of Motor Vehicles

Chapter: 90

Statutory Authority: 1976 Code Section 56-23-100

SUBJECT: Truck Driver Schools; and Driver Training Schools

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Transportation

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted April 13, 2021

**Motion to Ratify Adopted**

At 1:11 P.M., Senator ALEXANDER made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

**Doctor of the Day**

Senator SHEALY introduced Dr. Helmut Albrecht of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 1:05 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

**Leave of Absence**

At 1:22 P.M., Senator SABB requested a leave of absence for Senator MATTHEWS for the day.

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**Leave of Absence**

At 1:22 P.M., Senator SABB requested a leave of absence for Senator KIMPSON for the day.

**Leave of Absence**

At 1:22 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 1:15 P.M.

**CO-SPONSORS ADDED**

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

S. 145 Sen. Rice  
S. 534 Sen. Rice  
S. 536 Sen. Cash  
S. 700 Sen. Climer

**RECALLED AND ADOPTED**

H. 4168 -- Rep. Simrill: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 12 THROUGH 16, 2021, AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK."

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator HEMBREE, the Resolution was adopted and ordered sent to the House.

**RECALLED**

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

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HIGHWAY 49 EAST "REVEREND MARTIN LUTHER KING, JR. MEMORIAL HIGHWAY" IN HONOR OF DR. MARTIN LUTHER KING, JR., AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator MARTIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 749 -- Senators Sabb and Gustafson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE STEPHAN P. MICKLE, SR., OF GAINESVILLE, FLORIDA, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 750 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 80 TO TITLE 2 SO AS TO ESTABLISH THE "SOUTH CAROLINA FAIRNESS, ACCOUNTABILITY, AND INTEGRITY IN REDISTRICTING ACT" TO ESTABLISH THE CRITERIA AND PROCESS FOR APPORTIONMENT PLANS CREATED BY THE GENERAL ASSEMBLY.

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

S. 751 -- Senator Harpootlian: A BILL TO AMEND SECTION 58-40-20 OF THE 1976 CODE, RELATING TO NET ENERGY METERING, TO PROVIDE THAT SOLAR CHOICE METERING REQUIREMENTS SHALL REDUCE ANY COST SHIFT OR SUBSIDIZATION ASSOCIATED WITH NET METERING WHILE AVOIDING ANY DISRUPTION TO THE MARKET FOR CUSTOMER-SCALE DISTRIBUTED ENERGY RESOURCES, AND TO PROVIDE AN EXCEPTION TO THE PROHIBITION ON COST

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RECOVERY FOR LOST REVENUES ASSOCIATED WITH CUSTOMER-GENERATORS.

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

S. 752 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE THE WEEK OF APRIL 11 THROUGH APRIL 17, 2021, AS "BLACK MATERNAL HEALTH WEEK" IN SOUTH CAROLINA IN ORDER TO BRING STATEWIDE ATTENTION TO THE MATERNAL HEALTH CRISIS IN THE BLACK COMMUNITY AND TO THE IMPORTANCE OF REDUCING MATERNAL MORTALITY AND MORBIDITY AMONG BLACK BIRTHING PEOPLE.

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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 753 -- Senator Gambrell: A SENATE RESOLUTION TO PROVIDE THAT THE SOUTH CAROLINA SENATE BELIEVES IT IS IN THE BEST INTERESTS OF THE STATE IF UPON CONSIDERATION OF CERTAIN BIDS AND PROPOSALS TO REMEDIATE AND PREVENT CYANOBACTERIAL HARMFUL ALGAL BLOOMS, PREFERENCE IS GIVEN TO VENDORS WHO COMPLY WITH CERTAIN SPECIFICATIONS.

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The Senate Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

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

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H. 4190 -- Reps. Rutherford, Rose, 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, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA'S FABULOUS DANCE TEAM, THE CAROLINA GIRLS, ON CAPTURING FIRST PLACE IN DIVISION I-A DANCE TEAM PERFORMANCE AT THE 2021 NATIONAL DANCE ALLIANCE CHAMPIONSHIPS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4195 -- Reps. Henegan, Hayes, Hosey and Wheeler: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS(r) FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2021 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

**REPORTS OF STANDING COMMITTEES**

Senator VERDIN from the Committee on Medical Affairs polled out S. 717 favorable:

S. 717 -- Senators Jackson and Verdin: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE

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**STATE CERTIFICATION OF NEED AND HEALTH FACILITY  
LICENSURE ACT, TO ADD DIABETES SCREENING FACILITIES.**

**Poll of the Medical Affairs Committee  
Polled 16; Ayes 16; Nays 0; Not Voting 1**

**AYES**

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	K. Johnson	Corbin
Kimpson	Gambrell	Senn
Cash	McLeod	Loftis
Garrett		

**Total--16**

**NAYS**

**Total--0**

**NOT VOTING**

Matthews

**Total--1**

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3017 -- Reps. Davis, Atkinson, B. Newton, Magnuson, Fry, Daning, Felder, May, Long, Pope, Forrest, Oremus, M.M. Smith, Yow, McGinnis, Govan, Brawley, Willis, Henderson-Myers, Jones and McDaniel: A BILL TO AMEND SECTION 59-104-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO INCLUDE TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL COLLEGES AMONG INSTITUTIONS OF HIGHER LEARNING WHOSE STUDENTS MAY BE ELIGIBLE FOR THE SCHOLARSHIPS.

Ordered for consideration tomorrow.



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Senator VERDIN from the Committee on Medical Affairs polled out H. 3179 favorable:

H. 3179 -- Reps. G.M. Smith, McCabe, Caskey, Yow and Brawley: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO EXEMPT SURGICALLY IMPLANTED DRUG DELIVERY SYSTEMS FROM THE THIRTY-ONE DAY SUPPLY LIMITATION.

**Poll of the Medical Affairs Committee  
Polled 16; Ayes 16; Nays 0; Not Voting 1**

**AYES**

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	K. Johnson	Corbin
Kimpson	Gambrell	Senn
Cash	McLeod	Loftis
Garrett		

**Total--16**

**NAYS**

**Total--0**

**NOT VOTING**

Matthews

**Total--1**

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services polled out H. 3567 favorable:

H. 3567 -- Reps. Bernstein, Collins, Felder, Hosey, Murray, Henegan, Jefferson and R. Williams: A BILL TO AMEND SECTION 63-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD A DEFINITION FOR "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" AND OTHER TERMS; TO AMEND SECTIONS 63-7-1210 AND 63-7-2350, AS AMENDED, RELATING TO INVESTIGATIONS OF INSTITUTIONAL ABUSE AND

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RESTRICTIONS ON FOSTER CARE PLACEMENTS, RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTIONS 63-7-1730 AND 63-7-1740 SO AS TO REQUIRE ASSESSMENT, CASE PLANNING, AND JUDICIAL REVIEW FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING, SO AS TO MAKE CONFORMING CHANGES.

**Poll of the Family and Veterans' Services Committee  
Polled 17; Ayes 17; Nays 0**

**AYES**

Shealy	Young	<i>K. Johnson</i>
McElveen	Climer	Fanning
McLeod	Talley	Gambrell
Cash	Harpootlian	Cromer
Adams	Gustafson	<i>M. Johnson</i>
Kimbrell	Stephens	

**Total--17**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4064 -- Reps. G.M. Smith, Sandifer and Weeks: 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 CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

Ordered for consideration tomorrow.

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**Appointments Reported**

Senator HEMBREE from the Committee on Education submitted a favorable report on:

**Statewide Appointments**

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2025

At-Large:

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409

Received as information.

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754

Received as information.

**HOUSE CONCURRENCES**

S. 669 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF MAY 2021 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING ABOUT MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

Returned with concurrence.

Received as information.

S. 673 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2021, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH CHRONIC POST-VIRAL NEUROIMMUNE DISEASES, SPECIFICALLY MYALGIC ENCEPHALOMYELITIS.

Returned with concurrence.

Received as information.

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S. 693 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FRIDAY, APRIL 16, 2021, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

Returned with concurrence.

Received as information.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

**CARRIED OVER**

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

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

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**OBJECTION**

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer and Turner: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

Senator MASSEY objected to consideration of the Bill.

**CARRIED OVER**

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

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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".

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

**COMMITTEE AMENDMENT ADOPTED  
AMENDED, READ THE SECOND TIME**

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

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PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (635R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 4 through 12 and inserting:

/ “(1)(a) The President of Clemson University or his designee, the President of the Medical University of South Carolina or his designee, the President of the University of South Carolina at Columbia or his designee, the President of South Carolina State University or his designee, the Governor or his designee, the Chairman of the House Ways and Means Committee or his designee, the Chairman of the Senate Finance Committee or his designee, and the ~~Chairman~~ chairman of the ~~Board~~ board of ~~Trustees~~ trustees shall serve on the executive committee of the ~~board of trustees~~ SCRA.

(b) A designee of one of the four university presidents /

Amend the bill further, as and if amended, on page 4, by striking line 36 and inserting:

/a maximum credit of ~~two~~ five hundred ~~fifty~~ thousand dollars for a/  
Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senators SETZLER and SCOTT proposed the following amendment (635R002.KMM.NGS), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 23 through 43, and on page 3, by striking lines 1 through 14 and inserting:

/ (c) The executive committee shall elect two additional members of the executive committee, who shall be trustees at the time of their election, and one additional member, who is not required to be a trustee at the time of his election, by the affirmative vote of a majority of the ~~members of the~~ executive committee then serving. ~~Each of the three university presidents, with respect to no more than two executive~~

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~~committee meetings each calendar year, may designate in his place that university's chief research officer, as determined in the sole discretion of the designating president, to participate in and vote at executive committee meetings specified in the designation.~~

(d) The executive committee has all powers and authority of the board of trustees. The board shall have an advisory role only and shall advise the executive committee of the actions recommended by the board.

(2) Terms of elected executive committee members are for four years, and ~~half~~ the term of at least one executive committee member shall expire every two years. An elected executive committee member may not serve more than two consecutive four-year elected terms. A vacancy must be filled for the unexpired term in the manner of original election, and occurs upon the expiration of the term of service, death, resignation, disqualification, or removal of an elected executive committee member. An elected executive committee member ~~need not continue to~~ who must be a trustee at the time of his election need not continue to be a trustee in order to complete his term as an executive committee member. An elected executive committee member may be removed from office by the affirmative vote of two-thirds of the executive committee members serving.”

B. The initial term of the member of the executive committee of the South Carolina Research Authority board of trustees who is not required to be a trustee at the time of his election, pursuant to Section 13-17-40(B)(1), as amended by this act, begins on July 1, 2021 and ends on July 1, 2024. /

Renumber sections to conform.  
Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 41; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cash



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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

**Total--41**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 736 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO BOATING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5021, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**CARRIED OVER**

S. 737 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ALEXANDER SPRUNT, JR., WILDLIFE REFUGE AND SANCTUARY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5020, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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**CARRIED OVER**

S. 738 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FRESHWATER FISHERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5018, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**CARRIED OVER**

S. 739 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO MARINE RESOURCES DIVISION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5016, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**CARRIED OVER**

S. 740 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEA TURTLE PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5019, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**RECOMMITTED**

S. 741 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSSEN asked unanimous consent to recommit the Resolution to the Committee on Fish, Game and Forestry.

There was no objection.

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The Resolution was recommitted to the Committee on Fish, Game and Forestry.

**CARRIED OVER**

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5011, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**OBJECTION**

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND

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SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS explained the Bill.

Senator SCOTT objected to further consideration of the Bill.

**CARRIED OVER**

H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS explained the Bill.

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

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**READ THE SECOND TIME**

H. 3664 -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: A BILL TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator DAVIS explained the Bill.

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

**Ayes 41; Nays 1**

**AYES**

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

**Total--41**

**NAYS**

Massey

**Total--1**

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

**COMMITTEE AMENDMENT ADOPTED  
CARRIED OVER**

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

The Senate proceeded to a consideration of the Bill.

The Transportation Committee proposed the following amendment (SA\3689C001.BH.SA21), which was adopted:

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

/ SECTION 1. Section 56-3-376(A)(1) of the 1976 Code is amended to read:

“(1) Classification (1). Vehicles for which the biennial registration fee is one-hundred sixty dollars or more. The Department of Motor Vehicles may register and license a vehicle for which the biennial registration fee is one-hundred sixty dollars or more or for a semiannual or one-half year upon application to the department by the owner and the payment of one-fourth of the specified biennial fee. Biennial registrations and licenses expire at midnight on the last day of the twenty-fourth month for the period for which they were issued. Semiannual or half-year registrations and licenses expire at midnight of the sixth month for the period for which they were issued and no person shall drive, move, or operate a vehicle upon a highway after the expiration of the registration and license until the vehicle is registered and licensed for the then current period. Trucks, truck tractors, or road tractors with an empty or unloaded weight of ~~over~~ five thousand pounds or less, or gross vehicle weight of

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eight thousand pounds or less also must be placed in this classification but may not be registered for less than a full biennial period.”

SECTION 2. Section 56-3-660 (C) and (E) of the 1976 Code is amended to read:

“(C) Notwithstanding other provisions of this chapter, the department may enter into agreement with other states in a registration and license reciprocal agreement known as the international registration plan and the registration and license required in this section may be apportioned for vehicles which qualify and are licensed in accordance with the provisions of the plan. For the purpose of registering a vehicle under the international registration plan, a motor carrier selecting South Carolina as its base jurisdiction must own or lease real property used directly in the transportation of freight or persons within the State.

(E) The department may register a large commercial motor vehicle, as defined in Section 12-37-2810, ~~for the payment of one half of this state’s portion of the license and road fee for a vehicle whose portion of the license and road fee owed to this State exceeds four hundred dollars pursuant to the payments provisions outlined in Section 12-37-2840.~~ The department may require any information necessary to complete the transaction. A large commercial motor vehicle shall register annually rather than biennially.”

SECTION 3. Section 56-3-190 of the 1976 Code is amended to read:

“Section 56-3-190. (A) The Department of Motor Vehicles may register and license vehicles as required by this chapter upon application being made therefor by the owner and the required fees paid as provided in this chapter.

(B) If a commercial motor vehicle is registered through the International Registration Plan and is operated under a United States Department of Transportation (USDOT) number assigned to a person other than the vehicle’s owner, then the person to whom the USDOT number is assigned may register the commercial motor vehicle by submitting the appropriate application and fees to the Department of Motor Vehicles.”

SECTION 4.A. Section 56-3-195(A) of the 1976 Code is amended to read:

“Section 56-3-195. (A) ~~Beginning on July 1, 1994, each~~ Each county shall mail motor vehicle registration and licensing renewal notices to the owners of vehicles in the county as determined by the Department of Motor Vehicles no later than forty-five days before expiration of the registration. The renewal notices, including the fees upon completion, may be returned to that county which shall transmit the renewal notices

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to the department for processing and which shall transmit the fees to the appropriate state fund as provided by law within seven days of receipt. The owner of a large commercial motor vehicle, as defined in Section 12-37-2810(C), must establish an account with the Department of Motor Vehicles and must remit payment for all fees associated with registration and licensing renewal directly to the Department of Motor Vehicles.”

B. This SECTION takes effect on the first day of the fiscal year that begins twenty-four months after the program is fully funded.

SECTION 5.A. Section 12-37-2650 of the 1976 Code is amended to read:

“Section 12-37-2650. (A) Each county ~~The~~ auditor shall prepare a tax notice of all vehicles, except for vehicles described in Article 23, Chapter 37, Title 12, owned by the same person and licensed at the same time for each tax year within the two-year licensing period. A notice must describe the motor vehicle by name, model, and identification number. The notice must set forth the assessed value of the vehicle, the millage, the taxes due on each vehicle, and the license period or tax year. The notice must be delivered to the county treasurer who must collect or receive payment of the taxes. One copy of the notice must be in the form of a bill or statement for the taxes due on the motor vehicle and, when practical, the treasurer shall mail that copy to the owner or person having control of the vehicle. When the tax and all other charges included on the tax bill have been paid, the treasurer shall issue the taxpayer a paid receipt. The receipt or a copy may be delivered by the taxpayer to the Department of Motor Vehicles with the application for the motor vehicle registration. A record of the payment of the tax must be retained by the treasurer. The auditor shall maintain a separate duplicate for motor vehicles. A registration may not be issued by the Department of Motor Vehicles unless the application is accompanied by the receipt, a copy of the notification required by Section 12-37-2610 or notice from the county treasurer, by other means satisfactory to the Department of Motor Vehicles, of payment of the tax. Large commercial motor vehicles and buses, as defined in Section 12-37-2810, must pay road use fees pursuant to Article 23, Chapter 37, Title 12 in lieu of ad valorem property taxes. The treasurer, tax collector, or other official charged with the collection of ad valorem property taxes in each county may delegate the collection of motor vehicle taxes to banks or banking institutions, if each institution assigns, hypothecates, or pledges to the county, as security for the collection, federal funds or federal, state, or municipal securities in an amount adequate to prevent any loss to the county from any cause. Each institution shall remit the taxes collected daily to the county official



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charged with the collections. The receipt given to the taxpayer, in addition to the information required in this section and by Section 12-45-70, must contain the name and office of the treasurer or tax collector of the county and must also show the name of the banking institution to which payment was made.

(B) The county official charged with the collection of taxes shall send a list of the institutions collecting the taxes to the Department of Motor Vehicles. Each institution shall certify to the Department of Motor Vehicles that the taxes have been paid, and the Department of Motor Vehicles is authorized to accept certification in lieu of the tax receipt given to the taxpayer if certification contains information required by this section.

(C) Tax bills (notices) for county assessed personal property valued in accordance with applicable Department of Revenue regulations must include notification of the taxpayer's appeal rights, to include a minimum amount of information of how the taxpayer should file his appeal, to whom, and within what time period.

(D) The Department of Motor Vehicles shall mail a notice to registrants of large commercial motor vehicles who no longer receive bills from counties that their road use fee will be due to the department at their next renewal cycle instead of paying taxes or fees to the county in which the vehicle is registered.

B. This SECTION takes effect on the first day of the fiscal year that begins twenty-four months after the program is fully funded.

SECTION 6. Section 12-37-2810(A) of the 1976 Code is amended to read:

“Section 12-37-2810. (A) ‘Motor carrier’ means a person or legal entity who owns, controls, operates, manages, or leases a commercial motor vehicle, or bus for the transportation of property or persons in intrastate or interstate commerce except for scheduled intercity bus service and farm vehicles using FM tags as allowed by the Department of Motor Vehicles. ~~A motor carrier is defined further as being a South Carolina based International Registration Plan registrant or owning or leasing real property within this State used directly in the transportation of freight or persons.~~”

SECTION 7.A. Sections 12-37-2840 and 12-37-2850 of the 1976 Code are amended to read:

“Section 12-37-2840. A Notwithstanding another provision of law, a motor carrier registering a large commercial motor vehicle or bus must pay to the Department of Motor Vehicles the road use fee due on the vehicle at the time and in the manner the person pays the registration fees

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on the vehicle pursuant to Section 56-3-660. A person choosing to pay South Carolina registration fees on a large commercial motor vehicle or bus in quarterly installments pursuant to Section 56-3-660 also must pay the road use fee on the vehicle in the same quarterly installments. The Department of Motor Vehicles must make quarterly installment payments available to a customer upon the customer's request provided that each installment payment is made online.

Section 12-37-2850. ~~Beginning on January 1, 2019, the~~ The Department of Motor Vehicles shall assess annually the road use fee due on large commercial motor vehicles and buses based on the value determined in Section 12-37-2820 and an average millage for all purposes statewide for the preceding calendar year and shall publish the average millage for the preceding year by July first of each year. The Department of Revenue, in consultation with the Revenue and Fiscal Affairs Office, shall calculate the millage to be used to calculate the road use fee by June first of each year for the following calendar year. The road use fee assessed must be paid to the Department of Motor Vehicles, in addition to the registration fees required pursuant to Sections 56-3-660 and 56-3-670, at the time and in the manner that the registration fees on the vehicle are paid pursuant to Sections 56-3-660 and 56-3-670. Distribution of the fees paid must be made by the Office of the State Treasurer based on the distribution formula provided in Sections 12-37-2865 and 12-37-2870.”

B. This SECTION takes effect on the first day of the fiscal year that begins twenty-four months after the program is fully funded.

SECTION 8.A. Section 12-37-2860(F) of the 1976 Code is amended to read:

“(F) If the ~~apportioned~~ South Carolina registration fees of a large commercial motor vehicle or bus and the road use fees for large commercial motor vehicles required under this chapter are ~~equal to or exceed four hundred dollars~~ assessed, the fees may be remitted to the Department of Motor Vehicles quarterly in installments, provided that each installment is made online. A motor carrier who fails to make a quarterly installment payment on a timely basis may no longer make installment payments and must remit to the department the balance of the fees owed for any previous calendar year before the Department of Motor Vehicles will renew registration for the current calendar year. A motor carrier that opts out of installment payments must make full payment of fees at the time of registration.”

B. This SECTION takes effect on the first day of the fiscal year that begins twenty-four months after the program is fully funded.

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SECTION 9.A. Section 12-37-2880 of the 1976 Code is amended to read:

“Section 12-37-2880. (A) In addition to the property tax exemptions allowed pursuant to Section 12-37-220, one hundred percent of the fair market value of all large commercial motor vehicles and buses registered for use in this State ~~under the International Registration Plan or otherwise pursuant to Section 56-3-190~~, is exempt from property tax and is instead subject to the road use fee imposed pursuant to this article.

(B) The road use fee imposed by this article is in lieu of all ad valorem taxes upon large commercial motor vehicles or buses, and any road use or other vehicle-related fees imposed by a political subdivision of this State ~~if registered for use in this State under the International Registration Plan~~.

(C) Counties shall mail bills for road use fees and registration to large commercial motor vehicles operating intrastate until the effective date of Section 12-37-2860(F).”

B. This SECTION is effective the first day of the new fiscal year after approval by the Governor.

SECTION 10. Section 56-3-240(5) of the 1976 Code is amended to read:

“(5) In addition to other registration requirements the department shall collect a federal employer identification number or social security number when a vehicle is registered with a gross vehicle weight of more than twenty six thousand pounds or as a bus common carrier.

Additionally, for a commercial motor vehicle with a gross weight of more than twenty six thousand pounds that operates with an apportioned license plate, the department may determine the manner, including the standard for measuring distance, such as miles or kilometers, application process, and filing deadlines for applications under the International Registration Plan, and must be provided:

(a) ~~the United States Department of Transportation Number of the registrant and motor carrier responsible for safety, as defined by the Federal Motor Carrier Safety Administration;~~ and

(b) a completed current MCS 150 form from the registrant for the motor carrier responsible for safety, as defined by the Federal Motor Carrier Safety Administration. This form also must be on file with the Federal Motor Carrier Safety Administration. Except where the International Registration Plan permits an applicant to use average per-vehicle distance, an application may contain the actual distance that the fleet being registered was operated during the report period. In accordance with the International Registration Plan, if the fleet did not

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accrue any actual distance during the reporting period, an applicant may use average per-vehicle distance. The expiration date of apportioned registration for all apportioned vehicles in a fleet must be the same date.”

SECTION 11.A. Section 56-3-355 of the 1976 Code is amended to read:

“Section 56-3-355. (A) The Department of Motor Vehicles must suspend, revoke, or not issue a registration card and license plate to a person for a commercial motor vehicle greater than twenty-six thousand pounds which operates with an apportioned license plate if the commercial motor carrier who is responsible for the safety of the vehicle has been prohibited from operating by a federal agency or if it is determined that the registrant has:

(1) made a material misrepresentation or false statement on the application or fails to disclose material information required pursuant to Section 56-3-240 or the International Registration Plan, if applicable;

(2) used or permitted the use of plates contrary to law;

(3) been found guilty of fraud, fraudulent practices, or subterfuge for the real party in interest who has been issued a Federal out-of-service order;

(4) operated or owned a business managed, or otherwise controlled or affiliated, with a person who is ineligible for registration, including the registrant entity, a relative, family member, corporate officer, or shareholder; or

(5) failed to comply with any of the regulations of the department for the enforcement of this article.

(B) The registrant must promptly surrender to the department any item suspended or revoked under this section. If the registrant unlawfully refuses to surrender the suspended or revoked items as required under this section, the department, through its designated agents or by request to a county or municipal law enforcement agency, shall take possession of the suspended or revoked license plate and registration card. A registration card or license plate may not be reissued for that vehicle until the motor carrier has been allowed to operate by a federal agency or the vehicle is properly transferred to a motor carrier that is not prohibited from operating by a federal agency. Before a suspended vehicle registration card can be reinstated, the department shall receive a signed copy of any inspection report for each suspended registration card and a fee of fifty dollars for each registration card suspension which must be paid to the department. The fifty dollar fee must be placed in the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167 by the Comptroller General.”

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B.This SECTION takes effect at the start of the fiscal year immediately following approval by the Governor.

SECTION 12. This act takes effect upon approval by the Governor unless otherwise indicated. /

Re-number sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

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

**RECOMMITTED**

S. 562 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

**POINT OF ORDER**

S. 748 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

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The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3805 -- Reps. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 57, 59, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144, CHAPTER 3 OF TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS, PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, AND NORMANDY INVASION AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, UNITED STATES NAVAL ACADEMY, UNITED STATES AIR FORCE ACADEMY, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II VETERANS, GOLD STAR FAMILY OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES, NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

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**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**READ THE SECOND TIME**

H. 4099 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

The question being the second reading of the Resolution.

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

**Ayes 42; Nays 0**

**AYES**

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

**Total--42**

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**NAYS**

**Total--0**

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

**H. 4099--Ordered to a Third Reading**

On motion of Senator CAMPSER, with unanimous consent, H. 4099 was ordered to receive a third reading on Thursday, April 15, 2021.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

At 1:47 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator McLEOD rose for an Expression of Personal Interest.

**Remarks to be Printed**

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

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senators PEELER, CLIMER, M. JOHNSON and FANNING, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William M. Faulkner, IV of Smyrna, S.C. William was an amazing young man who brought joy to those around him. He who was a member of Smyrna ARP Church. William was a loving son, brother and grandson who will be dearly missed.



**WEDNESDAY, APRIL 14, 2021**

and

**MOTION ADOPTED**

On motion of Senators PEELER, CLIMER, M. JOHNSON and FANNING, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Martha Bratton of Clover, S.C. Martha was a member of the Clover Town Council. She graduated from Clover High School in 1989 and was a prominent leader in business and local government. Martha was a loving sister and mother who will be dearly missed.

**ADJOURNMENT**

At 2:02 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

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