

NO. 22

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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WEDNESDAY, FEBRUARY 16, 2022

**Wednesday, February 16, 2022**  
**(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:

Daniel 12:3

In a vision Daniel hears a voice proclaiming to him: "Those who are wise shall shine like the brightness of the sky, and those who lead many to righteousness, like the stars forever and ever."

Let us pray: Holy God, today we lift up to You each and every individual who serves in any leadership role across our forty-six counties. In towns and cities, in rural areas, here in this State House, in all sorts of roles, so many women and men faithfully carry out a rich variety of tasks. We are grateful for each and every one who strives to be a thoughtful, caring and conscientious servant of Your people, Lord, indeed "shining like the brightness of the sky," not for any personal gain, but solely for the benefit of those they serve. And may that be true always of each servant here in the Senate of South Carolina as well, as these individuals thoughtfully and wisely lead the way for all of our citizens. And, as always, to You be the glory, dear Lord. Amen.

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

**Doctor of the Day**

Senator GOLDFINCH introduced Dr. Jilian Rinehart Sansbury of Myrtle Beach, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator ADAMS, at 1:30 P.M., Senator GROOMS was granted a leave of absence for today.

**Expression of Personal Interest**

Senator M. JOHNSON rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator BENNETT rose for an Expression of Personal Interest.

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**CO-SPONSORS ADDED**

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

S. 248 Sen. Jackson

S. 952 Sen. Setzler

**RECALLED AND ADOPTED**

S. 1026 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF MAY 1-8, 2022, AS "TARDIVE DYSKINESIA AWARENESS WEEK" IN SOUTH CAROLINA.

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

The Resolution was recalled from the Committee on Medical Affairs.

Senator SHEALY 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 SHEALY, the Resolution was adopted and ordered sent to the House.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1072 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 9, TITLE 23 SO AS TO PROVIDE FOR THE TRAINING, REGISTRATION, AND CERTIFICATION OF FIRE-RESISTANT MATERIAL APPLICATORS BY THE STATE FIRE MARSHAL.

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

S. 1073 -- Senator Hembree: A BILL TO AMEND SECTION 23-3-430 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE SEX OFFENDER REGISTRY, TO ESTABLISH A TIER SYSTEM FOR OFFENSES THAT REQUIRES AN OFFENDER TO REGISTER AS A SEX OFFENDER; TO AMEND ARTICLE 7, CHAPTER 3, TITLE 23 TO ADD SECTION 23-3-463 TO

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ESTABLISH THAT AN OFFENDER WHO IS REQUIRED TO REGISTER, MAY, AFTER A SPECIFIED PERIOD OF TIME BASED ON THE TIER OF HIS OFFENSE, PETITION THE CIRCUIT COURT FOR REMOVAL OF THE REQUIREMENTS OF THE SEX OFFENDER REGISTRY UPON MEETING CERTAIN REQUIREMENTS; TO AMEND SECTION 23-3-490 TO CLARIFY THE PROVISIONS FOR PUBLIC AND ELECTRONIC DISSEMINATION OF SEX OFFENDER INFORMATION; AND TO AMEND SECTION 23-3-460 TO MAKE FURTHER CONFORMING CHANGES.

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

S. 1074 -- Senators Bennett, Adams, Alexander, Allen, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE ASHLEY RIDGE HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2022 SOUTH CAROLINA CLASS AAAAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 1075 -- Senator Williams: A CONCURRENT RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF FORMER FLORENCE COUNTY CHIEF DEPUTY JOHNNIE ABRAHAM, SR., AND TO HONOR HIS DEVOTION TO PUBLIC SAFETY, LAW ENFORCEMENT, AND FLORENCE COUNTY IN A CAREER SPANNING NEARLY FOUR DECADES.

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

H. 4944 -- Rep. McGinnis: A BILL TO AMEND SECTION 59-136-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEETINGS OF THE COASTAL CAROLINA UNIVERSITY BOARD OF TRUSTEES, SO AS TO PROVIDE MANDATORY

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NOTICE OF BOARD MEETINGS MUST BE SENT EITHER ELECTRONICALLY OR THROUGH THE UNITED STATES MAIL TO EACH TRUSTEE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.

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

**REPORTS OF STANDING COMMITTEES**

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO

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PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE

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THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO

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PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., February 16, 2022

Mr. President and Senators:

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

H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

and has ordered the Bill enrolled for Ratification.

Very respectfully,  
Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., February 16, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Jay West, Bradley and Kirby to the Committee of Conference on the part of the House on:

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND



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PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY

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APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY  
THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Very respectfully,  
Speaker of the House

Received as information.

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

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

The following Resolutions were read the third time and ordered sent  
to the House of Representatives:

S. 952 -- Senators Peeler, Alexander and Setzler: A JOINT  
RESOLUTION TO AUTHORIZE THE EXPENDITURE OF  
FEDERAL FUNDS DISBURSED TO THE STATE IN THE  
AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE  
MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

S. 956 -- Senators Peeler, Alexander, Hutto, Young and Setzler: A  
JOINT RESOLUTION TO APPROPRIATE SETTLEMENT FUNDS  
PAID TO THIS STATE BY THE FEDERAL GOVERNMENT FOR  
STORING PLUTONIUM AT THE SAVANNAH RIVER SITE.

**CARRIED OVER**

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO  
AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING  
TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE  
THAT MINORS ENGAGED IN COMMERCIAL SEXUAL  
ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO  
UNDER COERCION OR AS THE RESULT OF A REASONABLE  
FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE  
DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR  
EXPUNGEMENT FOR THESE VICTIMS.

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

**CARRIED OVER**

H. 3466 -- Reprs. Long, McGarry, Pope, Forrest, Magnuson and Jones:  
A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,  
1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE  
PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT

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ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

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

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

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

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\946C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-5-63(A)(1), by striking item (1) and inserting:

/ (1) ~~The State Board of Education shall promulgate regulations directing adopt and periodically revise as necessary a statewide policy that each local school board shall use to develop and implement a plan that directs the principal of each elementary school having grades one kindergarten through six to develop and implement a plan which shall equitably apportion lunchroom duty among the teachers so that each teacher has as many duty free lunch periods as may be reasonable in order to insure the safety and welfare of students and staff. The implementation of the plan shall not impose additional costs on the school districts. The regulations shall direct that the plan be in effect for the 1984-85 school year~~ fifth grade to provide at least thirty minutes of unencumbered time on each regular school day to all full-time teachers. The policy also shall direct a principal of any elementary, middle, or high school to provide at least thirty minutes of unencumbered time on each regular school day to any teacher who is responsible for instructing a

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student who is removed from the general education setting for more than twenty percent of the day. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (946R002.SP.GH), which was adopted:

Amend the bill, as and if amended, in SECTION 1, Section 59-5-63(A)(1), by striking item (1) and inserting:

/ (1) The State Board of Education shall ~~promulgate regulations directing~~ adopt and periodically revise as necessary a statewide policy that each local school board shall use to develop and implement a plan that directs the principal of each elementary school to provide at least thirty minutes of unencumbered time on each regular school day to all full-time teachers teaching in a grade between ~~having grades one kindergarten through six to develop and implement a plan which shall equitably apportion lunchroom duty among the teachers so that each teacher has as many duty free lunch periods as may be reasonable in order to insure the safety and welfare of students and staff. The implementation of the plan shall not impose additional costs on the school districts. The regulations shall direct that the plan be in effect for the 1984-85 school year~~ fifth grade. The policy also shall direct a principal of any elementary, middle, or high school to provide at least thirty minutes of unencumbered time on each regular school day to any teacher who is responsible for instructing a student who is removed from the general education setting for more than twenty percent of the day.

/

Amend the bill further, as and if amended, by striking Section 59-5-63(A)(2)(c) and inserting:

/ (c) that additional compensation may not be offered in place of unencumbered time, except as provided by Section 59-5-63(A)(2)(b) and as prescribed in the policy; /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

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The amendment was adopted.

The question then being second reading of the Bill as amended.

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

**Ayes 41; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rice
Sabb	Scott	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. 961 -- Senators Senn, Campsen, Loftis, Bennett, Alexander, Fanning and Kimbrell: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY," TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING

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ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

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

**READ THE SECOND TIME**

S. 1010 -- Senators Gambrell, Alexander and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL explained the Bill.

The question then being 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
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

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Talley  
Williams

Turner  
Young

Verdin

**Total--41**

**NAYS**

**Total--0**

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

**POINT OF ORDER**

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

**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.

**CARRIED OVER**

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson, Shealy and Jackson: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING

**WEDNESDAY, FEBRUARY 16, 2022**

TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the amendment.

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

**Expression of Personal Interest**

Senator MATTHEWS rose for an Expression of Personal Interest.

**Remarks to be Printed**

On motion of Senator STEPHENS, with unanimous consent, the remarks of Senator MATTHEWS, 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 Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert Langley of Hemingway, S.C. Robert was a loving son, devoted brother and doting father who will be dearly missed.

and



**WEDNESDAY, FEBRUARY 16, 2022**

**MOTION ADOPTED**

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jeffery Lynn McCraw of Gaffney, S.C. Jeffery was the son of our beloved former Representative DeWitt McCraw. Jeffery was a member of Adaville Baptist Church where he served as a deacon and worked with the youth group. He enjoyed doing projects around the house and yard and spending time at the beach with his family. Jeffery worked over 25 years at General Electric. Jeffery was a loving husband and devoted father who will be dearly missed.

**ADJOURNMENT**

At 3:35 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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