

NO. 27

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, FEBRUARY 24, 2022

Thursday, February 24, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.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:

Isaiah 61:10a

Isaiah the prophet declared: "I delight greatly in the Lord; my soul rejoices in my God."

Please join me as we pray: We continue rejoicing in the blessings You bestow on us, O Lord. Your gracious gifts to us are ones that so often just take our breath away. And so we praise You. For even through the ages You have blessed the people of South Carolina: from the very beauty of this State, to the women and men who have served our people lovingly in decades past, and now to the excitingly vibrant future that stretches before us. For all of Your many gifts we humbly give You our most heartfelt thanksgiving, O God. Now we ask You to guide each one of our current leaders in this Senate as they collectively labor for the common good. Bless them as they offer their very best for this State we all love. And, of course, Lord, today we also pray for the safety of our sisters and brothers in Ukraine as Russian attacks have sadly begun. By Your grace restore peace to that part of our world. In Your merciful and hope-filled name we pray, dear Lord. Amen.

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

Point of Quorum

At 11:05 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Allen	Bennett
Cash	Cromer	Davis
Garrett	Gustafson	Hembree

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<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Martin	McElveen
Peeler	Rice	Sabb
Senn	Setzler	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE HOUSE

The following appointment was transmitted by the Honorable James H. Lucas:

Statewide Appointment

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

House - Majority:

Matthew N. Tyler, 411 Rosewood Dr., Florence, SC 29501 *VICE*
Donald H. Jackson

Referred to the Committee on Judiciary.

Doctor of the Day

Senator WILLIAMS introduced Dr. Joseph Hoyle of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 11:08 A.M., Senator HUTTO was granted a leave of absence for today.

Leave of Absence

On motion of Senator McELVEEN, at 11:36 A.M., Senator McLEOD was granted a leave of absence for today.

Leave of Absence

On motion of Senator MARTIN, at 11:36 A.M., Senator CORBIN was granted a leave of absence for today.

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Leave of Absence

On motion of Senator CLIMER, at 11:36 A.M., Senators GOLDFINCH and GAMBRELL were granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 11:36 A.M., Senators ADAMS and GROOMS were granted a leave of absence for today.

Leave of Absence

On motion of Senator TALLEY, at 11:41 A.M., Senator RANKIN was granted a leave of absence for today.

CO-SPONSORS ADDED

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

S. 5 Sen. Scott
S. 901 Sen. Peeler
S. 1077 Sen. Davis
S. 1078 Sen. K. Johnson

RECALLED

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.

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

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

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1098 -- Senators Alexander, Peeler, Grooms, Massey, Martin, Corbin, Turner, Gambrell, Harpootlian, Verdin and Talley: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CLEMSON UNIVERSITY MEN'S SOCCER TEAM MEMBERS AND COACHES FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 MEN'S NATIONAL CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 1099 -- Senators Alexander, Turner and Peeler: A SENATE RESOLUTION TO DECLARE TUESDAY, MARCH 1, 2022, AS "CLEMSON DAY" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1100 -- Senators Rice, Alexander, Corbin, Loftis, Allen, Turner, Verdin, Talley, Martin, Cash, Gambrell, Kimbrell and Peeler: A SENATE RESOLUTION TO COMMEND H.G. "BUTCH" KIRVEN FOR HIS MANY YEARS OF DEDICATED SERVICE AS CHAIRMAN OF THE GPATS POLICY COMMITTEE AND A GREENVILLE COUNTY COUNCILMEMBER AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

H. 3347 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G. M. Smith, Bennett, Gagnon, Hyde, West, Thayer, Ligon, M. M. Smith and Weeks: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF THE GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; AND PROPOSING AN

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AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, ALSO RELATING TO THE CAPITAL RESERVE FUND SO AS TO PROVIDE THAT THE CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR.

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

H. 3599 -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

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

H. 3833 -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

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Read the first time and referred to the Committee on Medical Affairs.

H. 4597 -- Reps. Bustos, M. M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 4880 -- Reps. Simrill, Lucas, Pope, G. M. Smith, Crawford, Huggins, Erickson, Bradley, Ballentine, Hardee, W. Newton, White, Thayer, West, Fry, Hewitt, Gagnon, Willis, Gilliam, B. Newton, McGarry, Ott, Govan, Cobb-Hunter, Lowe, M. M. Smith, R. Williams, Long, Burns, Nutt, Jones, Ligon, May, T. Moore, Hyde, Haddon, Magnuson, Jordan, Weeks and Bamberg: A BILL TO AMEND SECTION 12-6-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO SIX PERCENT AND TO SPECIFY THE MANNER IN WHICH THE REDUCTION OCCURS; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO ALLOW FOR THE DEDUCTION OF ALL MILITARY RETIREMENT INCOME; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

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

H. 4906 -- Rep. Hixon: A BILL TO AMEND SECTION 50-11-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4907 -- Rep. Hixon: A BILL TO AMEND SECTION 50-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF FRESHWATER GAME FISH, SO AS TO INCLUDE ALL BLACK BASS AND TROUT HYBRIDS; TO AMEND SECTION 50-13-10, RELATING TO DEFINITIONS, SO AS TO DEFINE "LANDING NET (DIP NET)" AND TO ADD BARTRAM'S BASS, ALABAMA BASS, AND TROUT HYBRIDS; TO AMEND SECTION 50-13-80, RELATING TO TAKING FISH BY SNAGGING, SO AS TO PROHIBIT ALL TAKING OF FISH BY SNAGGING; TO AMEND SECTION 50-13-210, RELATING TO DAILY POSSESSION LIMITS, SO AS TO ADD BARTRAM'S BASS AND ALABAMA BASS; TO AMEND SECTION 50-13-310, RELATING TO GAME FISH CAUGHT WITH NETS AND OTHER NONGAME FISHING DEVICES, SO AS TO ALLOW FOR THE TAKING OF GAME FISH WITH A LANDING NET; TO AMEND SECTION 50-13-620, RELATING TO FLOATING MARKERS FOR FISHING DEVICES, SO AS TO REQUIRE THE INSPECTION OR REMOVAL OF A TROTLINE AFTER TWENTY-FOUR HOURS; TO AMEND SECTION 50-13-635, RELATING TO PERMISSIBLE FISHING DEVICES, SO AS TO ALLOW FOR THE USE OF A LANDING NET; TO AMEND SECTION 50-13-670, AS AMENDED, RELATING TO THE POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO THE USE OF A LANDING NET; TO AMEND SECTION 50-13-675, AS AMENDED, RELATING TO PERMITTED NONGAME FISHING DEVICES, SO AS TO INCLUDE LANDING NETS, AMONG OTHER THINGS; AND TO AMEND SECTION 50-13-1610, RELATING TO THE PROHIBITION OF THE SALE OR TRAFFIC OF CERTAIN GAME FISH, SO AS TO PROHIBIT CERTAIN ACTIVITIES RELATED TO THE TAKING OF FISH FROM THE FRESHWATERS OF THIS STATE.

Read the first time and referred to the Committee on Fish, Game and Forestry.

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REPORTS OF STANDING COMMITTEES

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

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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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 title be changed to that of an Act and enrolled for Ratification:

H. 4800 -- Reps. McGarry and Crawford: A BILL TO AMEND ACT 777 OF 1988, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE LANCASTER COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE ELECTION OF SCHOOL TRUSTEES IN PARTISAN INSTEAD OF NONPARTISAN ELECTIONS BEGINNING IN 2024 AND FOR THE NOMINATION, TERMS, AND ELECTION PROCEDURES OF CANDIDATES FOR THESE OFFICES.

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

The following Bill was read the third time and ordered sent to the House:

S. 1059 -- Senator Verdin: A BILL TO AMEND SECTION 40-33-43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY.

OBJECTION

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.

Senator HEMBREE objected to consideration of the Bill.

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

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (908R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, on page 2, line 9, by adding:

/ (3) Only offenses which occurred within five years of each other, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this section. /

Amend the bill further, as and if amended, on page 2, by striking SECTION 2 and inserting:

/ SECTION 2. This act takes effect one hundred and eighty days after approval by the Governor. For a period of one hundred and eighty days after the effective date of this act, only warning tickets may be issued for a violation of the provisions of this act. /

Re-number sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

Senators GROOMS and RANKIN proposed the following amendment (908R002.KMM.LKG), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 25 through 41 and inserting:

/ "Section 56-5-4445. (A) It shall be unlawful for any person to drive a passenger motor vehicle on the highways of this State which has been elevated or lowered ~~either in front or back~~, yet still leveled, more than six inches by a modification, alteration, or change in the physical structure of the vehicle. Any person violating the provisions of this section ~~shall be deemed~~ is guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars nor more than fifty dollars.

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Provided, however, the provisions in this subsection section shall do not apply to motor vehicles commonly called referred to as 'pickup trucks.'

(B)(1) It shall be unlawful for any person to drive a passenger motor vehicle, including motor vehicles commonly referred to as pickup trucks, on the highways of this State if, by alteration of the suspension, frame, or chassis, the height of the front fender is raised or lowered four or more inches above or below the height of the rear fender. For the purposes of this subsection, the height of the fender shall be a vertical measurement from and perpendicular to the ground, through the centerline of the wheel, and to the bottom of the fender. /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

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 33; Nays 1

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Cromer	Davis	Fanning
Garrett	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Stephens	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Gustafson

Total--1

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

S. 908--Ordered to a Third Reading

On motion of Senator RICE, S. 908 was ordered to receive a third reading on Friday, February 25, 2021.

CARRIED OVER

S. 961 -- Senators Senn, Campsen, Bennett, Alexander and Fanning: 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 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 KIMBRELL, the Bill was carried over.

POINT OF ORDER

S. 5 -- Senators Jackson and Fanning: A BILL TO AMEND SECTION 53-5-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LEGAL HOLIDAYS, SO AS TO PROVIDE THE NINETEENTH DAY OF JUNE - JUNETEENTH SHALL BE A STATE LEGAL HOLIDAY.

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.

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POINT OF ORDER

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer and Senn: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 429 -- Senators Alexander and Senn: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-80, TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE, TO

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PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; AND TO AMEND SECTION 16-1-10(D) OF THE 1976 CODE, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, TO ADD DRUG-INDUCED HOMICIDE.

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.

POINT OF ORDER

S. 458 -- Senators Adams, Talley, Bennett, Senn and Alexander: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR “TRAFFICKING IN FENTANYL”, AND TO DEFINE NECESSARY TERMS.

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.

POINT OF ORDER

S. 637 -- Senator Cromer: A BILL TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE MORTGAGE LENDING LAWS OF THIS STATE SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN “EXEMPT PERSON”; AND TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS APPLICABLE TO THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN “EXEMPT PERSON”.

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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.

POINT OF ORDER

S. 887 -- Senators Rice, Garrett, Adams, Kimbrell and Massey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-1520 SO AS TO REQUIRE COMMISSIONERS AND ALTERNATES TO A CONVENTION OF STATES OR TO A STATE RATIFICATION CONVENTION TO TAKE AN OATH, TO PROVIDE CRIMINAL PENALTIES FOR THOSE COMMISSIONERS AND ALTERNATES WHO ARE CONVICTED OF VIOLATING THE REQUIRED OATH; AND TO DEFINE RELEVANT TERMS.

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.

POINT OF ORDER

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

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.

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The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 973 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2022.

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.

POINT OF ORDER

S. 1086 -- Senator Alexander: A JOINT RESOLUTION TO ALLOW FOR PROPERLY CREDENTIALLED INDIVIDUALS TO CONDUCT SOIL EVALUATIONS AND PREPARE ONSITE WASTEWATER SYSTEMS LAYOUTS, AND TO PROVIDE FOR A SUNSET OF THE PROVISIONS IN THIS JOINT RESOLUTION NO LATER THAN JULY 1, 2023.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE

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UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3821 -- Reps. W. Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

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.

POINT OF ORDER

H. 4832 -- Reps. Sandifer and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO

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REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

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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.

CARRIED OVER

S. 141 -- Senators Massey, Rice, Hembree, Bennett, Young, Senn, Kimbrell, Cash, Gustafson and Verdin: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

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

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

MADE SPECIAL ORDER

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

Senator MASSEY moved that the Bill be set for Special Order.

Senator MALLOY spoke in favor of the motion.

The Bill was made a Special Order.

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MOTION ADOPTED

At 11:34 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

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

The following Bill was read the third time and ordered sent to the House of Representatives:

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 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.

Recorded Vote

Senator GUSTAFSON desired to be recorded as voting against the third reading of the Bill.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned on Thursday, February 24, 2022, that it will adjourn to meet Friday, February 25, 2022, under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up. The

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Senate would meet again in regular statewide session Tuesday, March 1, at 12:00 Noon.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Jeneanne Watkins Fort of Columbia, S.C. Jeneanne was the niece of our beloved Senator KATRINA SHEALY. She was a dedicated sports mother and enjoyed the outdoors and spending time with her family. Jeneanne was a loving daughter, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 11:43 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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