

NO. 37

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

TUESDAY, MARCH 15, 2022

Tuesday, March 15, 2022
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 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:

Isaiah 1:18

In one of his visions Isaiah the prophet proclaims: “ ‘Come now, let us reason together,’ says the Lord.”

Bow with me, please: Here, O God, Isaiah clearly establishes how critical it is for those who are leaders to “reason together,” to join hearts and minds honestly and pointedly as they further the proper course for those they serve. After all, as we know, frequently personal agendas come into play; sometimes endgames far beyond any original intent find their way to the negotiating tables. Rather, O Lord, may it be that each of these leaders in this Senate -- as well as all others in leadership roles throughout our State, across our Nation, and around the globe -- might truly pursue ways to honor You as they strive to do that which is best for Your people -- for all of our people, including of course the establishment of peace for all. May it ever be so, Lord. Amen.

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

Point of Quorum

At 2:05 P.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:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Grooms
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	Kimbrell	Malloy

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Martin	Massey	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

VETOES

(R127, S862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

The veto was ordered placed on the Calendar for consideration tomorrow.

(R128, S912) -- Senator Stephens: AN ACT TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.

The veto was ordered placed on the Calendar for consideration tomorrow.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5104

Agency: Secretary of State

Chapter: 113

Statutory Authority: 1976 Code Sections 26-2-5 et seq.

SUBJECT: Promulgation of Regulations Pursuant to the South Carolina Electronic Notary Public Act

Received by President of the Senate March 10, 2022

Referred to Committee on Family and Veterans' Services

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REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5052

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Sections 59-149-10 et seq.

SUBJECT: LIFE Scholarship Program and LIFE Scholarship Enhancement

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Education

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted March 14, 2022

Document No. 5053

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-104-20

SUBJECT: Palmetto Fellows Scholarship Program

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Education

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted March 14, 2022

Document No. 5054

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-142-20

SUBJECT: South Carolina Need-based Grants Program

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Education

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted March 14, 2022

Doctor of the Day

Senator TALLEY introduced Dr. Thomas Phillips of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 2:09 P.M., Senator VERDIN was granted a leave of absence until 3:00 P.M.

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Leave of Absence

On motion of Senator MASSEY, at 2:10 P.M., Senators GOLDFINCH and GUSTAFSON were granted a leave of absence for the day.

Leave of Absence

On motion of Senator McELVEEN, at 2:10 P.M., Senator KIMPSON was granted a leave of absence for the day.

Leave of Absence

On motion of Senator SABB, at 2:47 P.M., Senator McLEOD was granted a leave of absence until 3:20 P.M.

CO-SPONSORS ADDED

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

S. 133	Sen. Fanning
S. 923	Sen. Young
S. 935	Sen. Senn
S. 938	Sen. Malloy
S. 1011	Sen. Setzler
S. 1032	Sen. Kimbrell
S. 1077	Sen. Fanning
S. 1106	Sens. Campsen and Scott

RECALLED

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.

Senator CROMER asked unanimous consent to make a motion to recall the Bill from the Committee on Banking and Insurance.

The Bill was recalled from the Committee on Banking and Insurance and ordered placed on the Calendar for consideration tomorrow.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1152 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF RUTHIE MAE FULTON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1153 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE FRANK MCBEE, JR. ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 1154 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE THE DUTCH FORK HIGH SCHOOL VARSITY DAZZLERS DANCE TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR BEING NAMED STATE CHAMPIONS IN VARSITY HIP HOP AT THE SOUTH CAROLINA DANCE ASSOCIATION 2022 STATE DANCE TEAM CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 1155 -- Senator Grooms: A SENATE RESOLUTION TO CONGRATULATE LAURA TAYLOR UPON THE OCCASION OF HER PROMOTION TO SENIOR VICE PRESIDENT OF AMERICAS AUTO/XLERATE AUCTION GROUP, TO COMMEND HER FOR HER EIGHTEEN YEARS OF DEDICATED SERVICE TO CHARLESTON AUTO AUCTION, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

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S. 1156 -- Senator Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF COACH JOHN WADE ABSHIRE AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1157 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1158 -- Senators Allen and Hembree: A BILL TO AMEND SECTION 34-11-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; AND TO AMEND SECTION 17-22-910, AS AMENDED, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT.

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

S. 1159 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5087, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1160 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5088, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1161 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL PLUMBING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5098, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1162 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FUEL GAS CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5086, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1163 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FIRE CODE, DESIGNATED AS REGULATION DOCUMENT

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NUMBER 5085, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1164 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL BUILDING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5084, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1165 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5074, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1166 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF COSMETOLOGY, RELATING TO EMERGENCY TEMPORARY WORK PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5034, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

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S. 1167 -- Senator Peeler: A BILL TO AMEND SECTION 7-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHEROKEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO REMOVE ARCHAIC LANGUAGE.

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

S. 1168 -- Senator Jackson: A SENATE RESOLUTION TO HONOR BISHOP JOHNIE JAMES JOHNSON, JURISDICTIONAL PRELATE OF THE CHURCH OF GOD IN CHRIST, SOUTH CAROLINA JURISDICTION, FOR HIS MANY YEARS OF GOSPEL MINISTRY, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

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The Senate Resolution was adopted.

S. 1169 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CLAUSSEN ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH PAMPLICO HIGHWAY TO ITS INTERSECTION WITH FRANCIS MARION ROAD "CHIEF DEPUTY JOHNNIE ABRAHAM, SR. MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G. M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

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

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H. 3537 -- Reps. Bailey, McGarry, Fry, Bryant, Burns, Felder, Long, Pope, Gilliam, Caskey and Yow: A BILL TO AMEND SECTION 27-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHTS OF HOMEOWNERS OR TENANTS TO FLY THE UNITED STATES FLAG AT THEIR PREMISES, NOTWITHSTANDING THE PROVISIONS OF ANY HOMEOWNERS' ASSOCIATION GOVERNING DOCUMENTS, CONTRACTUAL PROVISIONS, OR DEED COVENANTS TO THE CONTRARY, SO AS TO PROVIDE THAT THIS RIGHT INCLUDES THE RIGHT TO DISPLAY THE FLAG ON A FLAGPOLE INSTALLED AT THE PREMISES FOR THIS PURPOSE.

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

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

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

H. 3950 -- Reps. Murphy, Bernstein and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING PART 4 TO ARTICLE 6, TITLE 62 SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS FOR CERTAIN CATEGORIES OF TITLED PERSONAL PROPERTY; TO AMEND SECTION 50-23-60, RELATING TO APPLICATIONS FOR CERTIFICATES OF TITLE FOR WATERCRAFT OR OUTBOARD MOTORS, SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 50-23-70, AS AMENDED, RELATING TO FEES FOR WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 50-23-90, RELATING TO THE CONTENTS OF

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WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 50-23-130, RELATING TO TRANSFERS OF OWNERSHIP OF WATERCRAFT AND OUTBOARD MOTORS BY OPERATION OF LAW, SO AS TO INCLUDE TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 56-19-290, RELATING TO THE CONTENTS OF A CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 56-19-420, RELATING TO FEES THE DEPARTMENT OF MOTOR VEHICLES MAY CHARGE TO ISSUE OR TRANSFER A CERTIFICATE OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; AND TO AMEND SECTION 62-6-101, RELATING TO DEFINITIONS APPLICABLE TO NONPROBATE TRANSFERS, SO AS TO REVISE AND INCLUDE CERTAIN DEFINITIONS PERTAINING TO TRANSFERS ON DEATH FOR TITLED PERSONAL PROPERTY.

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

H. 4534 -- Rep. Rutherford: A BILL TO AMEND SECTION 16-17-680, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO RESTRUCTURE THE VARIOUS OFFENSES TO INCLUDE INTENT AND CLARIFY CERTAIN ASPECTS OF THE VIOLATIONS.

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

H. 4601 -- Reps. W. Cox, G. R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M. M. Smith, V. S. Moss and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

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

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H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M. M. Smith, White, V. S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

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

H. 5098 -- Rep. Bamberg: A BILL TO AMEND ACT 104 OF 2021, RELATING TO THE CONSOLIDATION OF BAMBERG EHRHARDT SCHOOL DISTRICT ONE AND DENMARK OLAR SCHOOL DISTRICT TWO (THE TWO PRESENT SCHOOL DISTRICTS) INTO ONE SCHOOL DISTRICT KNOWN AS THE BAMBERG COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE TWO PRESENT SCHOOL DISTRICTS' BOARDS OF TRUSTEES IF THE APPOINTMENTS TO THE BAMBERG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES RESULT IN THE ABSENCE OF A QUORUM ON BOTH OF THE TWO PRESENT DISTRICTS' BOARDS OF TRUSTEES.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5106 -- Reps. Sandifer, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham,

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Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, MARCH 30, 2022 AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

H. 5107 -- Rep. Sandifer: A CONCURRENT RESOLUTION TO COMMEND AND CONGRATULATE SOUTH CAROLINA GOVERNOR DAVID BEASLEY ON HIS DISTINGUISHED GLOBAL LEADERSHIP IN RECOGNITION OF THE NOBEL PEACE PRIZE AWARDED IN 2020 TO THE UNITED NATIONS WORLD FOOD PROGRAMME, AND THE INTERNATIONAL DISTINCTION BROUGHT TO THE STATE OF SOUTH CAROLINA AND THE NATION'S NUMBER ONE INTERNATIONAL BUSINESS PROGRAM AT THE UNIVERSITY OF SOUTH CAROLINA.

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

H. 5109 -- Reprs. Gagnon, 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, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT

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RESOLUTION TO CONGRATULATE DR. JOHN THOMAS "TOM" HELLAMS, VICE PRESIDENT FOR ACADEMIC ADMINISTRATION FOR ERSKINE COLLEGE, UPON THE OCCASION OF HIS RETIREMENT, TO HONOR HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR AND EDUCATIONAL ADMINISTRATOR, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

H. 5151 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2021-2022, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

REPORTS OF STANDING COMMITTEES

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

S. 295 -- Senators Climer, Fanning, Bennett and Allen: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR

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PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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

S. 888 -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: A BILL TO AMEND CHAPTER 11, TITLE 40 OF THE 1976 CODE, RELATING TO CONTRACTORS, TO PROVIDE FOR A VOLUNTARY CONTRIBUTION TO BE MADE UPON APPLICATION FOR A CONTRACTOR'S LICENSE TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING COURSES IN BUILDING SCIENCE OR CIVIL ENGINEERING; TO PROVIDE FOR DISTRIBUTION; AND TO IMPOSE A REPORTING REQUIREMENT.

Ordered for consideration tomorrow.

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

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell and Rankin: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

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Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY, INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

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Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2021, and to expire July 1, 2024

1st Congressional District:

Henry B. Fishburn, Jr., 105 Waterfront Plantation Drive, Charleston, SC 29412-2100 *VICE* William “Warner” Peacock

Received as information.

Reappointment, Board of Directors of the Jobs Economic Development Authority, with the term to commence July 27, 2019, and to expire July 27, 2022

At-Large/Chairman:

Michael W. Nix, 108 White Oak Lane, Greenwood, SC 29646-9087

Received as information.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 31, 2020, and to expire March 31, 2024

Cosmetologist:

Patricia C. Walters, 360 Canal Place Dr., Columbia, SC 29201

Received as information.

Message from the House

Columbia, S.C., March 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

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

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TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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

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

The following Bills were read the third time and ordered sent to the House:

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.

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

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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 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.

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley,

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Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms, McElveen and Gustafson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

The Senate proceeded to a consideration of the Bill.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpoottian
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	Williams	Young

Total--39

NAYS

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Total--0

The Bill was read the third time, passed and ordered sent to the House.

CARRIED OVER

S. 953 -- Senator Verdin: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

CARRIED OVER

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

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

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

S. 1060 -- Senators Young and Massey: A BILL TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator MASSEY explained the Bill.

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AMENDED, OBJECTION

H. 3243 -- Reps. Collins, Bernstein, Kimmons, Forrest, Herbkersman, Erickson, W. Cox, Elliott, Carter, Cobb-Hunter, Rutherford, King, Henegan, Wheeler, Thigpen, Pendarvis, Rose, Bamberg, Dillard, McKnight, Garvin, Stavrinakis, Ott, Weeks, Atkinson, R. Williams, Jefferson, Kirby, J.L. Johnson, Cogswell, Caskey, Matthews, S. Williams and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO ARE LAWFULLY PRESENT IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL proposed the following amendment (3243R002.SP.JK), which was adopted:

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

/SECTION 1. Article 1, Chapter 1, Title 40 of the 1976 Code is amended by adding:

“Section 40-1-35. A person who:

(1) has a current and valid employment authorization approved by federal immigration authorities;

(2) came to the United States before reaching his sixteenth birthday;

(3) has continuously and presently resided in the United States since initially arriving in the country;

(4) was physically present within the United States at the time a request was made for consideration of deferred action with the U.S. Citizenship and Immigration Services;

(5) has not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors; and

(6) does not otherwise pose a threat to national security or public safety

shall be eligible for occupational or professional licensure under the provisions of this title provided all other applicable occupational or professional requirements are met.”

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

Renumber sections to conform.

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Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

Senator MARTIN objected to further consideration of the Bill.

CARRIED OVER

S. 712 -- Senators Davis, Kimbrell, Hutto and Garrett: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

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

COMMITTEE AMENDMENT ADOPTED

CARRIED OVER

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (812R001.KMM.TD), which was adopted:

Amend the , as and if amended, on page 3, by striking lines 22 - 33 and inserting:

/ (F)(1) The director, ~~with the advice and consent of the board,~~ shall designate for the use of the board one full-time administrator who is a certified public accountant licensed in this State. The administrator's primary responsibility is to administer the board; ~~provided, however, that the director may assign to the administrator additional duties and responsibilities within the department so long as the additional duties and responsibilities do not unreasonably occupy the administrator's time so that he does not thoroughly fulfill his duties and responsibilities to the board.~~

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(2) A person employed by the board under this section may be terminated by the director. /

Amend the bill further, as and if amended, on page 16, by striking lines 14 - 16 and inserting:

/ States:

(3) submitting Substantial Equivalency Evaluation report from the NASBA National Qualification Appraisal Service verification that his CPA qualifications are substantially equivalent to the CPA licensure requirements of the AICPA and NASBA Uniform Accountancy Act; or

(4) any combination of experience determined by the board to be substantially equivalent to the foregoing. /

Amend the bill further, as and if amended, on page 17 by striking lines 15 - 20 and inserting:

/ ~~(f)(iii) Teaching experience semester hours must not be granted for teaching subjects outside the scope of the Uniform CPA Examination field of accounting. Subjects considered to be outside the field of accounting include, but are not limited to, business law, finance, computer applications, personnel management, economics, and statistics. /~~

Amend the bill further, as and if amended, on page 20, by striking lines 6 - 12 and inserting:

/ (E) ~~Any~~ Any firm applicant for initial issuance or renewal of a registration to practice pursuant to this chapter shall register each firm within this State with the board and shall demonstrate that all attest and compilation services rendered in this State are under the charge of a person holding a valid license issued pursuant to this section or the corresponding provision of prior law or of some other state. /

Amend the bill further, as and if amended, on page 22, by striking lines 1 - 5 and inserting:

/ (14) issue non-binding interpretations of statutes and regulations based on a written set of facts and a request from any member of the public, including licensees and the board.

(B) All public board orders, interpretations and policies of this chapter must be made available to the public in an electronic format organized by applicable law or regulation. /

Amend the bill further, as and if amended, on page 30, by striking lines 10-20 and inserting:

/ ~~(2) accounting or other records belonging to, or obtained from or on behalf of, the client that the licensee removed from the client's premises or received for the client's account; the licensee may make and retain copies of these documents of the client when based on work~~

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completed by the licensee a copy of the licensee's CPA-prepared records or CPA work product, except that such information may be withheld if fees are due to the licensee for the CPA work product, if the work is incomplete, if providing the CPA work product violates professional standards, or if threatened litigation or outstanding litigation exists concerning the engagement or the work performed. /

Amend the bill further, as and if amended, starting on page 31, by striking lines 21 - 43, and on page 32, by striking lines 1 - 35 and inserting:

/ Section 40-2-240. (A) The board ~~may~~ shall issue a license to an applicant who holds a holder of a certificate, license, or permit issued under the laws of any state or territory of the United States or the District of Columbia or any authority outside the United States upon a showing that the applicant of substantially equivalent education, examination, and experience upon the condition that the applicant:

(1)(a) ~~received the designation, based on educational and examination standards substantially equivalent to those in effect in this State, at the time the designation was granted~~ holds a valid certified public accountant license from a substantially equivalent jurisdiction and may lawfully practice in the jurisdiction in which he is licensed; and

~~(b) completed an experience requirement, substantially equivalent to the requirement provided for in Section 40-2-35(F), in the jurisdiction which granted the designation or has engaged in four years of professional practice, outside of this State, as a certified public accountant within the ten years immediately preceding the application; and~~

~~(c) passed a uniform qualifying examination in national standards and an examination on the laws, regulations, and code of ethical conduct in effect in this State acceptable to the board; and~~

~~(d) listed all jurisdictions, foreign and domestic, in which the applicant has applied for or holds a designation to practice public accountancy or in which any applications have been denied; and~~

~~(e) demonstrated completion of eighty hours of qualified CPE within the last two years; and~~

~~(f) filed an application and pays an annual fee sufficient to cover the cost of administering this section.~~

(2)(a) ~~satisfies the requirements of item (1)(c), (d), (e), and (f);~~

~~(b) holds a valid license issued by any other state before January 1, 2012; and~~

~~(e) has engaged in four years of professional practice, outside of this State, as a certified public accountant within the ten years~~

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~~immediately preceding the application. submits to the board a substantial equivalency evaluation report from the NASBA National Qualification Appraisal Service verification that his CPA qualifications are substantially equivalent to the CPA licensure requirements of the AICPA and NASBA Uniform Accountancy Act; or~~

(3) submits to the board evidence that he has passed the CPA Examination and, within the ten years prior to applying, has acquired four years of experience of the type described in Section 40-2-35(G) after passing the examination upon which the applicant's certificate, license, or permit was issued.

~~(B) Each holder of a certificate issued under this section shall notify the board in writing within thirty days after its occurrence of any issuance, denial, revocation, or suspension of a designation or commencement of a disciplinary or enforcement action by any jurisdiction. To apply for a license pursuant to this section an applicant must:~~

(1) identify all jurisdictions, foreign and domestic, in which the applicant has applied for or holds a designation to practice public accountancy or in which any applications have been denied;

(2) demonstrate the completion of eighty hours of qualified continuing professional education within the last two years; and

(3) file an application with the board together with the application fee prescribed by the board.

~~(C) Each person issued a license pursuant to this section shall notify the board in writing within thirty days after any issuance, denial, revocation, or suspension of a designation or commencement of a disciplinary or enforcement action against the licensee by any jurisdiction. /~~

Amend the bill further, as and if amended, on page 35, by striking lines 8 - 15 and inserting:

/ (6) An annual ethics requirement must be met and included in the documented hours of continuing professional education. No less than two hours of the annual forty hours of continuing professional education must relate to ethics. /

Amend the bill further, as and if amended, on page 37, by striking lines 16 - 19 and inserting:

/ (B) A license in 'emeritus' status must be renewed annually with no fee required. A license in 'emeritus' status may not be reinstated as an active license, subject to fulfilling the requirements for the reinstatement of a lapsed license under Section 40-2-250. /

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Amend the bill further, as and if amended, on page 40, by striking line 19 and inserting:

/ unless he or it plainly indicates on all signs, cards, letterheads, /

Amend the bill further, as and if amended, on page 42 by striking line 18 and inserting:

/ to be substantially equivalent to the foregoing standards. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

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

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 992 -- Senators Rice, Kimbrell, Verdin, Shealy, Adams, Hutto, McElveen, Gambrell and Garrett: A BILL TO AMEND SECTION 44-37-30(B) OF THE 1976 CODE, RELATING TO INFORMATION OBTAINED FROM NEONATAL TESTING OF CHILDREN, TO PROVIDE THAT, AT THE SAME TIME INFORMATION IS RELEASED TO A CHILD'S PHYSICIAN, THE DEPARTMENT SHALL REFER CHILDREN WITH METABOLIC, GENETIC, OR CONGENITAL DISORDERS TO A QUALIFIED SPECIALIST FOR FOLLOW-UP SERVICES, INCLUDING TREATMENT, COUNSELING, AND EDUCATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (992R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, by striking lines 32 through 35, and inserting:

/ (2) In instances where a child has a time-critical abnormal newborn screening result, the department shall notify the child's primary care provider, if known, and may provide information about those abnormal screening results to a qualified pediatric specialist for the timely provision of follow-up services, including further testing, treatment, counseling, and education as needed." /

Renumber sections to conform.

Amend title to conform.

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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 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

AMENDED, READ THE SECOND TIME

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR

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DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator SENN explained the Bill.

Senator SETZLER proposed the following amendment (1011NGS1), which was adopted:

Amend the bill, as and if amended, page 3, by striking line 15 and inserting the following:

/ agreements as are necessary for the collection of the data /

Re-number sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator SETZLER proposed the following amendment (1011NGS2), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 16-17 and inserting the following:

/ subsection through a bulletin or similar instruction. /

Re-number sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill.

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

Ayes 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

CARRIED OVER

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

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

AMENDMENT PROPOSED, OBJECTION

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF

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FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (1034R001.SP.RWC):

Amend the bill, as and if amended, in SECTION 1, by adding an appropriately lettered new subsection to read:

/ () A central fill pharmacy may not contact a patient for whom it has provided central fill services on behalf of an originating pharmacy for the purpose of soliciting or requesting to refill a prescription, or to fill a new prescription, for a period of five years after the originating pharmacy has stopping using the services of the central fill pharmacy. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

Senator SENN objected to further consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

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

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RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (DG1106C001.NBD.DG22), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 and inserting:

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

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

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

(2) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit; and the amount must be restored to the reserve fund within five fiscal years out of future revenues until the ~~five~~ seven percent, or the applicable percentage amount required to be transferred to the General Reserve

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Fund, is again reached and maintained. Provided that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the ~~five~~ seven percent, or the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.” /

Amend the joint resolution further, by striking SECTIONS 3 and 4 and inserting:

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

“(B) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to ~~two~~ three percent of the general fund revenue of the latest completed fiscal year. The three percent requirement shall be achieved by increasing the percentage requirement by a cumulative one-quarter of one percent of general fund revenue in each fiscal year succeeding the last fiscal year to which the two percent requirement applied until the percentage of revenue in the Capital Reserve Fund equals the three percent requirement, which shall thereafter be maintained.

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

(2) ~~Subsequent to appropriations required by item (1) of this subsection~~ After March first of a fiscal year, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate

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legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting, but not less than three-fifths of the total membership in each branch for the following purposes:

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

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

(c) for capital improvements or other nonrecurring purposes.

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

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

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

“Must Section 36(B), Article III of the Constitution of this State be amended so as to increase from two to three percent in increments of one-quarter of one percent over four years the amount of state general fund revenue in the latest completed fiscal year required to be held in the Capital Reserve Fund and to provide that the first use of the Capital Reserve Fund must be to offset midyear budget reductions?

Yes

No

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

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

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The amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3346C001.NBD.DG22), which was adopted:

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

/ SECTION 1. Section 11-11-310 of the 1976 Code is amended to read:

“Section 11-11-310. (A) The State Fiscal Accountability Authority shall provide for a General Reserve Fund. Funds accumulating in excess of the annual operating expenditures must be transferred to the General Reserve Fund and the transfer must continue to be made in succeeding fiscal years until the accumulated total in this reserve reaches an amount equal to the applicable percentage amount of the general fund revenue of the latest completed fiscal year.

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(2) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in subsection (C) of this section or any appropriation for a particular project or item which has~~

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been reduced due to application of the monies to a year-end deficit must lapse and be credited to the General Fund.

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

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

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

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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

READ THE SECOND TIME

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 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.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE 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

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

Total--41

NAYS

Total--0

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

POINT OF ORDER

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis, Alexander and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

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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.

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

MADE SPECIAL ORDER

S. 2 -- Senators Peeler, Malloy, McElveen, Hembree, Senn and Kimbrell: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO RENAME AND REORGANIZE THE CHAPTER AS THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH", TO DELEGATE RESPONSIBILITIES, TO ABOLISH THE DEPARTMENT AND BOARD, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT; TO AMEND CHAPTER 9, TITLE 44, TO CREATE THE DIVISION OF MENTAL HEALTH, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 TO TRANSFER THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; BY ADDING CHAPTER 57 TO TITLE 46 TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER THE DIVISIONS, OFFICES, AND PROGRAMS THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND APPROPRIATE

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SECTIONS TO MAKE CONFORMING CHANGES; AND TO REPEAL APPROPRIATE SECTIONS.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 3:38 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 947 -- Senators Grooms, Climer and Garrett: A BILL TO AMEND SECTION 56-23-20 OF THE 1976 CODE, RELATING TO DRIVER TRAINING SCHOOLS, TO PROVIDE THAT ASSOCIATIONS FORMED BY GROUPS OF ELECTRIC COOPERATIVES PURSUANT TO SECTION 33-49-160 ARE PERMITTED TO PROVIDE DRIVER EDUCATION TRAINING.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN spoke on the Bill.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, DEBATE INTERRUPTED

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn and Fanning: 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

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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.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Resolution.

The Committee on Judiciary proposed the following amendment (JUD0133.004), which was carried over:

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

/ Whereas, the Founders of our Constitution empowered State Legislators to be guardians of liberty against future abuses of power by the federal government, and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending, and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent, and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States, and

Whereas, it is the solemn duty of the States to protect the liberty of our people—particularly for the generations to come—by proposing Amendments to the Constitution of the United States through a Convention of the States under Article V for the purpose of restraining these and related abuses of power. Now therefore,

Be it therefore resolved by the General Assembly of the State of South Carolina:

SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States 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.

SECTION 2. The Clerks of the South Carolina House of Representatives and the South Carolina Senate shall transmit copies of this resolution to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of

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Representatives, the members of the South Carolina Congressional Delegation, and the presiding officers of each of the legislative houses in the several states, attesting to the enactment of this joint resolution by the South Carolina General Assembly and requesting cooperation.

SECTION 3. This joint resolution constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

SECTION 4. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was carried over.

Amendment No. 1A

Senators Campsen, Massey and Rice proposed the following amendment (JUD0133.006), which was adopted:

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

/ Whereas, the annual federal budget is not in balance, and the federal public debt is now more than twenty-seven trillion dollars; and

Whereas, continued deficit spending demonstrates an unwillingness or inability of both the federal executive and legislative branches to spend no more than available revenues; and

Whereas, fiscal irresponsibility at the federal level is lowering our standard of living, destroying jobs, and endangering economic opportunity now and for the next generation. Now, therefore,

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

SECTION 1. The General Assembly of the State of South Carolina hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

SECTION 2. Copies of this application must be transmitted to the President of the United States, the Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives,

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and the members of the United States Senate and the United States House of Representatives from this State.

SECTION 3. Copies of this resolution must also be transmitted to the presiding officers of each of the legislative houses in the several states, requesting their cooperation in this endeavor.

SECTION 4. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. This application supersedes all previous applications by this General Assembly on the same subject.

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

Renumber sections to conform.

Amend title to conform.

Senator CAMPSER explained the amendment.

The amendment was adopted.

Amendment No. 2A

Senator HUTTO proposed the following amendment (133CBH3):

Amend the bill, as and if amended, by striking SECTION 1 and inserting the following:

/ SECTION 1. The General Assembly of the State of South Carolina, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints. Any proposed amendment shall not include limiting the right to keep and bear arms. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Point of Quorum

At 5:06 P.M., Senator MASSEY made the point that a quorum was not present. It was ascertained that a quorum was not present.

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Motion Adopted

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

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Celeste Pringle of Georgetown, S.C. Dr. Pringle was a retired educator from the Georgetown School District for more than 45 years. She held numerous positions as teacher, assistant principal, director of student support services, principal and retired as deputy superintendent. Dr. Pringle was a mentor to teachers and administrators throughout the State. She was well respected and admired in the community and beyond. Dr. Pringle was a loving mother and devoted sister who will be dearly missed.

ADJOURNMENT

At 5:07 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

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S. 888.....	15	S. 1165.....	8
S. 912.....	2	S. 1166.....	8
S. 923.....	40	S. 1167.....	9
S. 935.....	15	S. 1168.....	9
S. 947.....	42	S. 1169.....	9
S. 953.....	21		
S. 976.....	4	H. 3243.....	22
S. 992.....	27	H. 3271.....	9
S. 1011.....	28	H. 3346.....	35
S. 1024.....	21	H. 3537.....	10
S. 1025.....	30	H. 3859.....	10
S. 1034.....	30	H. 3950.....	10
S. 1060.....	21	H. 4534.....	11
S. 1087.....	19	H. 4601.....	11
S. 1090.....	17	H. 4837.....	12
S. 1095.....	16	H. 4944.....	39
S. 1106.....	31	H. 5098.....	12
S. 1117.....	16	H. 5106.....	12
S. 1152.....	5	H. 5107.....	13
S. 1153.....	5	H. 5109.....	13
S. 1154.....	5	H. 5150.....	14
S. 1155.....	5	H. 5151.....	14