

NO. 46

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

WEDNESDAY, MARCH 30, 2022

Wednesday, March 30, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Proverbs 1:7

In Proverbs we find many “wisdom sayings.” One of them you may recall, that: “The fear of the Lord is the beginning of knowledge; fools despise wisdom and instruction.”

Let us pray: May it be, O God, that not a one of us ever turns his or her back on learning, on our need to discover new things, to grow in our understanding of the world around us. Here in this world of ours -- even when we think things cannot possibly become any more complex -- we know full well that they will and that we absolutely must continue to learn, to gain new perspectives, to fill the gaps in our understanding of virtually everything around us. And You, Loving God, are certainly a key entry point in this whole process for us. So we pray today that by Your grace You will lead all of us in this Senate toward a greater and deeper understanding of the world. In Your loving name we humbly ask this, O Lord. Amen.

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

Point of Quorum

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

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Cromer
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpoottlian
Hembree	Hutto	<i>Johnson, Michael</i>

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

A quorum being present, the Senate resumed.

Doctor of the Day

Senator RICE introduced Dr. Lori Carnsew of Easley, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 1:07 P.M., Senator CAMPSER was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 1:50 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Leave of Absence

At 5:49 P.M., Senator GUSTAFSON requested a leave of absence for Thursday, March 31, 2022.

Leave of Absence

On motion of Senator CLIMER, at 6:53 P.M., Senator SHEALY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator McELVEEN, at 8:46 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

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Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Remarks to be Printed

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

CO-SPONSORS ADDED

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

S. 945 Sen. Loftis
S. 1200 Sen. Talley

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1218 -- Senator Matthews: A BILL TO AMEND ACT 278 OF 1985, AS LAST AMENDED BY ACT 185 OF 2020, TO REDUCE THE NUMBER OF JASPER COUNTY BOARD OF EDUCATION SINGLE-MEMBER DISTRICTS FROM NINE TO SEVEN; TO STAGGER THE TERMS OF MEMBERS ELECTED IN 2022; AND TO ESTABLISH THE SEVEN SINGLE-MEMBER DISTRICTS.

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

S. 1219 -- Senator Bennett: A SENATE RESOLUTION TO CONGRATULATE LURA JAYNE PARKER ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 1220 -- Senator Rice: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF PICKENS COUNTY BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION

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REGARDING THE REVISED ELECTION DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED.

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

S. 1221 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE THE EPSILON EPSILON CHAPTER OF OMEGA PSI PHI FRATERNITY, INC., FOR SEVENTY-FIVE YEARS OF SERVICE TO THE CITY OF COLUMBIA, COUNTY OF RICHLAND, AND STATE OF SOUTH CAROLINA, AS WELL AS THROUGHOUT THE UNITED STATES AND THE WORLD, AND TO DECLARE APRIL 2, 2022, AS "EPSILON EPSILON CHAPTER DAY" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

H. 3775 -- Reprs. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V. S. Moss, G. R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

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

H. 4834 -- Reprs. Bernstein, Collins, Crawford, Fry and Felder: A BILL TO AMEND SECTION 44-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTIFIED COPIES OF AN ORIGINAL BIRTH CERTIFICATE, SO AS TO ADD A DEFINITION FOR "OTHER LEGAL REPRESENTATIVE"; TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO OBTAIN CERTIFIED COPIES OF ORIGINAL BIRTH CERTIFICATES PURSUANT TO A WRITTEN AGREEMENT WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND FOR OTHER PURPOSES.

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

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H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

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

H. 5036 -- Reps. Sandifer, West, Thigpen, Hardee, Jordan, Anderson, Bailey, Gagnon, Simrill, Thayer, White and Atkinson: A BILL TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 31, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDINGS UNFIT FOR HABITATION IN COUNTIES, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO BUILDINGS UNFIT FOR OCCUPATION, TO ADD A CAUSE FOR WHICH POLICE POWERS MAY BE USED REGARDING RUBBISH, AND TO DELETE AN APPROVAL REQUIREMENT.

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

H. 5138 -- Reps. Hosey and Bamberg: 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.

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

H. 5139 -- Rep. Rutherford: A BILL TO AMEND SECTIONS 63-1-40 AND 63-19-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO STATUS OFFENSES, SO AS TO ELIMINATE PLAYING A PINBALL MACHINE AS A STATUS OFFENSE; AND TO REPEAL SECTION 63-19-2430 RELATING TO THE PLAYING OF PINBALL MACHINES BY A MINOR.

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

H. 5181 -- Reps. Jefferson, 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, 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 RESOLUTION TO CONGRATULATE LEROY JOHNSON OF WILLIAMSBURG COUNTY ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.

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

H. 5185 -- Reps. Lucas, 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, 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.

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Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR MICHAEL D. BANKS TO THE PALMETTO STATE ON THE OCCASION OF THE 97TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

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

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 22 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; TO AMEND SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE OF JUVENILES ADJUDICATED DELINQUENT BY THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 53 -- Senators Malloy and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, TO ENACT THE "SOUTH CAROLINA JUVENILE JUSTICE REFORM ACT", TO AMEND SECTION 63-1-20, RELATING TO THE CHILDREN'S POLICY OF SOUTH CAROLINA, TO INCLUDE WITHIN THE STATEMENT A PROVISION TO ESTABLISH A POLICY REGARDING THE CARE AND GUIDANCE OF CHILDREN WITHIN THE JUVENILE JUSTICE SYSTEM; AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator MALLOY spoke on the Bill.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 79 -- Senator Malloy: A BILL TO AMEND SECTION 44-23-430 OF THE 1976 CODE, RELATING TO HEARINGS CONCERNING A PERSON'S FITNESS TO STAND TRIAL, TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TREATMENT TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 106 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 25 TO TITLE 51 SO AS TO PLACE THE BEACH RESTORATION AND IMPROVEMENT TRUST FUND UNDER THE AUTHORITY OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM AND TO RENAME THE TRUST FUND, TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE A CERTAIN AMOUNT OF DOLLARS FOR THE FUND ANNUALLY, TO PROVIDE THAT THE FUNDING FOR ANNUAL MONITORING AND EVALUATION OF EROSION RATES AND BEACH PROFILES

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MUST BE PROVIDED BY THE TRUST FUND, AND TO MAKE CONFORMING CHANGES; AND TO REPEAL CHAPTER 40 OF TITLE 48 RELATING TO THE SOUTH CAROLINA BEACH RESTORATION AND IMPROVEMENT TRUST ACT.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 613 -- Senator Davis: A BILL TO AMEND SECTION 40-33-42(C) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL UNDER THE NURSE PRACTICE ACT, TO PROVIDE AN EXCEPTION FOR CERTIFIED MEDICAL ASSISTANTS; TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, BY ADDING SECTION 40-47-196, TO SPECIFY TASKS THAT CAN BE DELEGATED TO A CERTIFIED MEDICAL ASSISTANT; TO DELETE SECTION 40-47-30(A)(5) AND SECTION 40-47-935(C) OF THE 1976 CODE, RELATING TO THE RELEVANCE OF THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT TO PROHIBITING A LICENSED PHYSICIAN FROM DELEGATING TASKS TO UNLICENSED PERSONNEL AND TO A PA DELEGATING CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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

S. 674 -- Senators Kimbrell, Rice, Talley, M. Johnson, Harpootlian and Loftis: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-170, TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT

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ROLE DUE A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 697 -- Senator Verdin: A BILL TO AMEND SECTION 44-43-400 OF THE 1976 CODE, RELATING TO THE JURISDICTION OF A CORONER OVER A BODY THAT IS THE SUBJECT OF AN ANATOMICAL GIFT, TO CLARIFY THAT THE CORONER MUST COOPERATE EXPEDITIOUSLY WITH A PROCUREMENT ORGANIZATION TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS FOR THE PURPOSE OF TRANSPLANTATION, THERAPY, RESEARCH, OR EDUCATION, EVEN WHEN PERFORMING AN INVESTIGATION.

Ordered for consideration tomorrow.

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

S. 945 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2023.

Ordered for consideration tomorrow.

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

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION

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TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO

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LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning and Adams: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

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Ordered for consideration tomorrow.

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

S. 1103 -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander and Gambrell: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 1136 -- Senators Loftis, Talley, Turner and Climer: A BILL TO ENACT THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO AMEND CHAPTER 67, TITLE 40 OF THE 1976 CODE, RELATING TO SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, BY ADDING ARTICLE 5, TO OUTLINE STATE PARTICIPATION IN THE COMPACT, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE-DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION, TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE COMMISSION, RULES, WITHDRAWAL, AND AMENDMENTS, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND THE BINDING EFFECT OF THE COMPACT; TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 1179 -- Senator Shealy: A BILL TO AMEND SECTION 40-63-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SOCIAL WORKERS, SO AS TO DEFINE THE TERM "TELEHEALTH"; TO AMEND SECTION 40-63-290, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS SOCIAL WORKERS, SO AS TO SIMILARLY EXEMPT CERTAIN INDEPENDENT SOCIAL WORKERS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE; TO AMEND SECTION 40-75-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO DEFINE THE TERM "TELEHEALTH"; AND TO AMEND SECTION 40-75-290, AS AMENDED, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO SIMILARLY EXEMPT SUCH PROFESSIONALS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE

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ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 30, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained the veto by the Governor on R.127, S. 862 by a vote of 69 to 35:

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(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.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 30, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has reconsidered and overridden the veto by the Governor on R.127, S. 862 by a vote of 70 to 32:

(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.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 30, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.128, S. 912 by a vote of 68 to 29:

(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.

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Very respectfully,
Speaker of the House
Received as information.

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

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

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

S. 1180 -- Senator Fanning: A BILL TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.

On motion of Senator FANNING.

ADOPTED

H. 5106 -- Reps. Sandifer, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoun, 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,

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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, 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 Resolution was adopted, ordered returned to the House.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: 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.

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

Amendment No. 5A

Senator HUTTO proposed the following amendment (935R011.SP.CBH), which was adopted:

Amend the bill, as and if amended, in SECTION 2, by striking Section 59-8-115(D)(4)(g) and inserting:

/ (g) that includes documentation of the consultation process between the parent, the resident school district, the education service provider, and any school district that the education service provider contracts with under an IEP or services plan, for each scholarship student with a disability regarding the special education and related services, and

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the manner by which these services as listed in the student's IEP or services plan, will be provided to a scholarship student with a disability./

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

The amendment was adopted.

Amendment No. 10

Senator FANNING proposed the following amendment (WAB\935C021.RT.WAB22), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-150(C)(1) and inserting:

/ (1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each scholarship student in grades kindergarten through twelve takes all assessments required by federal and state law for students in South Carolina Public Schools. Students with disabilities who must be assessed against alternate achievement standards shall take the South Carolina Alternate Assessment (SC-Alt) or the current approved Alternate Assessment on Alternate Achievement Standards (AA-AAS) for South Carolina public schools; and

(b) measure academic performance and annual learning gains of its scholarship students by:

(i) requiring that each scholarship student takes all assessments required by federal and state law for students in South Carolina Public Schools for the purpose of measuring learning gains in math and reading using instruments approved on the statewide adoption list of formative assessments as required under Section 59-18-310; and

(ii) collecting high school graduation information of scholarship students for reporting to the department as required in this section. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator GROOMS moved to lay the amendment on the table.

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

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Ayes 17; Nays 23

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Davis	Gambrell	Garrett
Grooms	Gustafson	Hembree
Kimbrell	Loftis	Rice
Senn	Turner	

Total--17

NAYS

Corbin	Cromer	Fanning
Harpoottian	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimpson
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Sabb	Scott
Shealy	Stephens	Talley
Williams	Young	

Total--23

Having failed to receive the necessary vote, the Senate refused to table the amendment.

Senator HEMBREE spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator GROOMS spoke on the amendment.

On motion of Senator HUTTO, with unanimous consent, the Senate proceeded to consideration of Amendment No. 19.

Amendment No. 19

Senator MASSEY proposed the following amendment (935R012.SP.ASM), which was withdrawn:

Amend the bill, as and if amended, on page 11, Section 59-8-150(C)(1), by striking lines 17 through 40 and inserting:

/(1) Education service providers that provide full-time academic instruction shall:

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(a) ensure that each scholarship student in grades three through eight takes the SC Ready or SC Ready alternative summative assessment required of students in public schools in this state;

(b) ensure that each scholarship student in grades four and six takes the SC Pass or SC Pass alternative summative assessment required of students in public schools in this state;

(c) ensure that each scholarship student in grades nine through twelve takes a nationally norm-referenced or formative assessment approved by the department. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement; and

(d) measure academic performance and annual learning gains of its scholarship students by:

(i) requiring that each scholarship student takes either an approved nationally norm-referenced assessment annually, or an approved formative assessment in the fall and spring, to measure learning gains in math and reading; and

(ii) collecting high school graduation information of scholarship students for reporting to the department as required in this section. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

Senator GROOMS moved to lay the amendment on the table.

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

Ayes 11; Nays 31

AYES

Adams	Bennett	Cash
Climer	Corbin	Grooms
Gustafson	Hembree	Kimbrell
Loftis	Senn	

Total--11

NAYS

Alexander	Allen	Cromer
Davis	Fanning	Gambrell

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Garrett	Harpootlian	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--31

Having failed to receive the necessary vote, the Senate refused to table the amendment.

Senator CLIMER spoke on the amendment.
Senator MASSEY spoke on the amendment.

On motion of Senator MASSEY, with unanimous consent, the Senate proceeded to consideration of Amendment No. 43.

Amendment No. 43

Senator MASSEY proposed the following amendment (935R014.SP.ASM), which was adopted:

Amend the bill, as and if amended, on page 11, Section 59-8-150(C), by striking and inserting:

/(1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each scholarship student in grades three through eight takes the SC Ready or SC Ready alternative summative assessment required of students in public schools in this state;

(b) ensure that each scholarship student in grades four and six takes the SC Pass or SC Pass alternative summative assessment required of students in public schools in this state;

(c) ensure that each scholarship student in grades nine through twelve takes a nationally norm-referenced or formative assessment approved by the department. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement; and

(d) measure academic performance and annual learning gains of its scholarship students by:

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(i) requiring that each scholarship student takes either an approved nationally norm-referenced assessment annually, or an approved formative assessment in the fall and spring, to measure learning gains in math and reading; and

(ii) collecting high school graduation information of scholarship students for reporting to the department as required in this section.

(2) The department shall ensure that the education service provider has access to and is trained in administering the state assessments required in subitems (1)(a) and (b). The department shall assume any costs associated with training, administering, or taking assessments with no charges to the provider or ESTF students.

(3) For the purpose of evaluating program effectiveness, education service providers that provide full-time academic instruction shall ensure that results in item (1) are:

(a) provided to the parent of a scholarship student and must be provided to the department on an annual basis, beginning with the first year of program implementation; and

(b) disaggregated by grade level, gender, family income level, race, and English learner status.

(4) The department, or the appropriate organization chosen by the department, if any, must be informed of the scholarship student's graduation from high school. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

The question then was the adoption of the amendment.

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

Ayes 24; Nays 18

AYES

Allen	Cromer	Fanning
Gambrell	Harpootlian	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Rankin	Sabb
Setzler	Shealy	Stephens

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Talley Williams Young

Total--24

NAYS

Adams Alexander Bennett
Cash Climer Corbin
Davis Garrett Grooms
Gustafson Hembree Kimbrell
Loftis Peeler Rice
Senn Turner Verdin

Total--18

The amendment was adopted.

On motion of Senator FANNING, with unanimous consent, the Amendment No. 10 was withdrawn.

On motion of Senator MASSEY, with unanimous consent, the Amendment No. 19 was withdrawn.

Amendment No. 11

Senator HUTTO proposed the following amendment (WAB\935C050.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-150(A)(3) and inserting:

/ (3) not unlawfully discriminate on the basis of race, color, religion, national origin, or disability; and /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator FANNING spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

Ayes 23; Nays 20

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AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Davis	Gambrell	Garrett
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Massey	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--23

NAYS

Allen	Cromer	Fanning
Harpoottian	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimpson	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Setzler
Stephens	Williams	

Total--20

The amendment was laid on the table.

Amendment No. 12

Senators JACKSON and McLEOD proposed the following amendment(WAB\935C049.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-150(A)(3) and inserting:

/ (3) not unlawfully discriminate on the basis of race, color, religion, national origin, or sexual orientation; and /

Renumber sections to conform.

Amend title to conform.

Senator JACKSON spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

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Amendment No. 13

Senator FANNING proposed the following amendment (WAB\935C006.RT.WAB22), which was subsequently tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-120, by striking subsection Section 59-8-150(A) and inserting:

/ (A) To ensure equitable treatment and personal safety of all ESA students, all education service providers shall:

- (1) comply with all applicable health and safety laws or codes;
- (2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;
- (3) not discriminate in the admissions process on the basis of race, color, religion, sex, or national origin;
- (4) not require an academic aptitude test as a condition for admission; and

(5) conduct criminal background checks on employees and exclude from employment anyone who:

- (a) is not permitted by state law to work in a school;
- (b) reasonably might pose a threat to the safety of students; or
- (c) is listed on federal, state, or other central child abuse registries. /

Amend the bill further, SECTION 2, Section 59-8-150(E)(5), by striking the item and inserting:

/ (5) education service providers shall not be required to alter their creeds, practices, or curriculum in order to accept payments from a parent using funds from an ESA. Further, education service providers shall not be required to alter their admissions policies beyond any alterations necessary to comply with this section. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator GROOMS, with unanimous consent, the Senate proceeded to consideration of Amendment No. 42.

Amendment No. 42

Senator GROOMS proposed the following amendment (935R003.KMM.LKG), which was tabled:

Amend the bill, as and if amended, by striking Section 59-8-135 and inserting:

/ Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

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(1) in School Year 2023-2024, the program is limited to one percent of the most recent 135-day ADM count from the South Carolina Department of Education;

(2) in School Year 2024-2025, the program is limited to two percent of the most recent 135-day ADM count from the South Carolina Department of Education;

(3) in School Year 2025-2026, the program is limited to three percent of the most recent 135-day ADM count from the South Carolina Department of Education; and

(4) in School Year 2026-2027, and for all subsequent school years, the program is limited to four percent of the most recent 135-day ADM count from the South Carolina Department of Education.

(B) In 2027, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program.

(C) If in any year the scholarship awards do not reach the capacity provided for in subsection (A), students meeting the requirements of Section 59-8-110(3)(a) and (b) will be considered an 'eligible student' for the purposes of this chapter./

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

OBJECTION

Senator MARTIN asked unanimous consent to make a motion, with Senator GROOMS retaining the floor, to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

Senator GROOMS resumed speaking on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

Having voted on the prevailing side, Senator CORBIN moved to reconsider the vote whereby Amendment No. 42 was laid on the table.

The motion was adopted.

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The question then was the adoption of the amendment.

Senator HUTTO moved to table the amendment.

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

Ayes 28; Nays 13

AYES

Alexander	Allen	Bennett
Fanning	Gambrell	Gustafson
Harpoottian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Rankin	Sabb
Scott	Senn	Stephens
Talley	Turner	Williams
Young		

Total--28

NAYS

Adams	Cash	Climer
Corbin	Cromer	Davis
Garrett	Grooms	Kimbrell
Loftis	Peeler	Rice
Verdin		

Total--13

The amendment was laid on the table.

On motion of Senator MARTIN, with unanimous consent, the Senate proceeded to consideration of Amendment No. 45.

Amendment No. 45

Senator MARTIN proposed the following amendment (935R013.SP.SRM), which was adopted:

Amend the bill, as and if amended, SECTION 2, on page 14 after line 19, by adding a new Section to read:

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/ Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to eligibility requirements specifically imposed by the South Carolina High School League, including, but not limited to, any prohibition on a transfer student from participating in a sport immediately upon transfer.” /

Renumber sections to conform.
Amend title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

Amendment No. 13

Senator FANNING proposed the following amendment (WAB\935C006.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-120, by striking subsection Section 59-8-150(A) and inserting:

/ (A) To ensure equitable treatment and personal safety of all ESA students, all education service providers shall:

- (1) comply with all applicable health and safety laws or codes;
- (2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;
- (3) not discriminate in the admissions process on the basis of race, color, religion, sex, or national origin;
- (4) not require an academic aptitude test as a condition for admission; and
- (5) conduct criminal background checks on employees and exclude from employment anyone who:
 - (a) is not permitted by state law to work in a school;
 - (b) reasonably might pose a threat to the safety of students; or
 - (c) is listed on federal, state, or other central child abuse registries. /

Amend the bill further, SECTION 2, Section 59-8-150(E)(5), by striking the item and inserting:

/ (5) education service providers shall not be required to alter their creeds, practices, or curriculum in order to accept payments from a parent using funds from an ESA. Further, education service providers shall not be required to alter their admissions policies beyond any alterations necessary to comply with this section. /

Renumber sections to conform.

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Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 14

Senator FANNING proposed the following amendment (WAB\935C023.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-150(A) and inserting:

/ (A) To ensure equitable treatment and personal safety of all scholarship students, all education service providers shall:

(1) comply with all applicable health and safety laws or codes;

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;

(3) not unlawfully discriminate on the basis of race, color, religion, creed, sex, gender identity, ethnicity, sexual orientation, mental or physical disability, athletic performance, proficiency in the English language, past academic or disciplinary history, or national origin; and

(4) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 16

Senator FANNING proposed the following amendment (WAB\935C042.RT.WAB22), which was tabled:

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Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(B) and inserting:

/ (B)(1) Pursuant to the timeline established pursuant to subsection (A), the department shall:

(a) process applications in the order in which they are received, after a preference has been extended to all prior-year participants and their respective siblings; and

(b) enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation.

(2) If the number of applications exceeds the capacity of a program, class, grade level, or building, students must be accepted by lot, and there is no appeal to the sponsor. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 21

Senator FANNING proposed the following amendment (WAB\935C028.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-135 and inserting:

/ Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

(1) in School Years 2023-2024, 2024-2025, and 2025-2026, the program is limited to five thousand scholarship students; and

(2) in School Year 2026-2027, the program limit for scholarship students will be determined based on the following:

(a) should the program demonstrate that seventy-five percent or greater of scholarship students made value-added growth on summative assessments as identified in Section 59-8-150 in each of the preceding three school years, the program is limited to ten thousand scholarship students; and

(b) should the program demonstrate less than seventy-five percent of scholarship students made value-added growth on summative

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assessments as identified in Section 59-8-150 in each of the preceding three school years, the program is limited to five thousand scholarship students;

(3) in School Year 2027-2028, the program limit for scholarship students will be determined based on the following:

(a) should the program demonstrate that seventy-five percent or greater of scholarship students made value-added growth on summative assessments as identified in Section 59-8-150 in each of the preceding three school years, the program limit of scholarship students may be increased by five thousand, not to exceed fifteen thousand scholarship students; and

(b) should the program demonstrate that less than seventy-five percent of scholarship students made value-added growth on summative assessments as identified in Section 59-8-150 in each of the preceding three school years, the program limit shall remain at the limit established in 2026-2027; and

(4) in school year 2028-2029 and for all subsequent school years, the program is limited to the number of scholarship students established in 2027-2028.

(B) In 2029, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program./

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 22A

Senator FANNING proposed the following amendment (VR\935C003.NBD.VR22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-140(A), by adding an appropriately numbered item to read:

/ () The department must track data on scholarship students who leave the program prior to graduation. Data tracked must state whether the student's education service provider or the student initiated leaving the program and the reason why the student left. The compiled data

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annually must be reported to the General Assembly before September first. This data must be compiled and disaggregated by the education service provider showing the:

- (a) number of students leaving;
- (b) number of students leaving initiated by the education service provider as compared to the number leaving initiated by the student;
- (c) reasons cited for leaving the program;
- (d) demographic data for SCHOLARSHIP students leaving;
- (e) demographic data for SCHOLARSHIP students remaining;
- (f) achievement data for SCHOLARSHIP students leaving; and
- (g) achievement data for SCHOLARSHIP students remaining./

Amend the bill further, as and if amended, SECTION 2, by striking Section 59-8-150(A) and inserting:

/ (A) To ensure equitable treatment and personal safety of all scholarship students, all education service providers shall:

- (1) comply with all applicable health and safety laws or codes;
- (2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;
- (3) not unlawfully discriminate on the basis of race, color, religion, or national origin;
- (4) conduct criminal background checks on employees and exclude from employment anyone who:
 - (a) is not permitted by state law to work in a school;
 - (b) reasonably might pose a threat to the safety of students; or
 - (c) is listed on federal, state, or other central child abuse registries; and
- (5) track and report to the department the number of scholarship students denied admission with the reason each scholarship student was not admitted. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

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Amendment No. 24A

Senator FANNING proposed the following amendment (VR\935C002.NBD.VR22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-110(12) and inserting:

/ (12) 'Qualifying expense' means:

- (a) tuition and fees of an education service provider;
- (b) textbooks, curriculum, or other instructional materials including, but not limited to, any supplemental materials or associated online instruction required by either a curriculum or an education service provider;
- (c) educational services for pupils with disabilities from a licensed or accredited practitioner or provider including, but not limited to, occupational, behavioral, physical, and speech-language therapies; or
- (d) fees for transportation paid to a fee-for-service transportation provider for the scholarship student to travel to and from an eligible provider as defined in this section, but not to exceed seven hundred and fifty dollars for each school year. /

Amend the bill further, as and if amended, SECTION 2, Section 59-8-150, by adding an appropriately lettered subsection to read:

/ () (1) To obtain approval from the department to provide such services as a qualifying expense, a tutoring services program must:

- (a) offer instruction and methods of instruction that are age and ability appropriate for the child;
- (b) have sufficient facilities and materials or access to other facilities and additional materials as necessary to provide an appropriate education;
- (c) have facilities and operations that comply with local, state, and federal requirements pertaining to the health and safety of children;
- (d) employ an adequate number of professional staff for the population served, and these staff members are qualified by training and experience in the areas in to which they are assigned;
- (e) ensure that its teachers who provide or supervise the provision of special education have licensure and endorsement as would be required for the equivalent work in a public school in this State;
- (f) ensure that its professional staff have relevant experience, training, or both in the duties to which they are assigned;
- (g) maintain a register of the daily attendance of each of its students and reports the attendance to the responsible LEA;
- (h) maintain an operating schedule that includes instruction for no less than ten hours for each week unless doing so is inconsistent with

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medical recommendations, educational recommendations, or both, and which must be sufficient to ensure that the instructional services provided will address the individual needs of a child with disabilities and are consistent with the IEP of the child;

(i) have the financial capacity to carry out its educational purposes for the period of approval; and

(j) meet standards that apply to state and local education agencies as evidenced by the maintenance and implementation of written policies or procedures, as appropriate, in the areas of admissions, discipline, and significant change in placement.

(2) With respect to the approval of rates for tutoring services providers:

(a) each tutoring services provider shall report its rates for tuition, related services, and room and board, if applicable, to the department on a form prescribed for that purpose;

(b) the rates that a tutoring services provider charges for tuition, related services, and room and board must be reasonably related to the actual costs of the services provided based on generally accepted accounting principles; and

(c) the department shall review the annual rate report of each tutorial program. If the department concludes that the rates of a tutoring services provider are not reasonably related to the services provided, the department shall make a determination as to the maximum rate that public school districts and the department would pay to the tutoring services provider for those services and offer the tutoring services provider an opportunity for explanation regarding why the maximum rate the department would pay is not adequate. If the explanation is not satisfactory, the department shall refer the matter to the State Board of Education. Upon receipt of the referral, the board shall conduct a formal proceeding on the matter, and its determination is final. /

Renumber sections to conform.

Amend title to conform.

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

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Amendment No. 32

Senator FANNING proposed the following amendment (WAB\935C029.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-140(C) and inserting:

/ (C) The department shall bar an education service provider from the program if the department establishes that the education service provider has failed to:

(1) comply with the accountability standards established in this section;

(2) provide the scholarship student with the educational services funded by the account; or

(3) comply with any requirements established in Section 59-8-150; /

Re-number sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 34A

Senator FANNING proposed the following amendment (WAB\935C052.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-150 by adding an appropriately lettered subsection to read:

/ () An education service provider must be governed by a board of trustees who serve staggered terms of four years in length. A board member may not serve:

(1) in a holdover status beyond the expiration date of his term; or

(2) more than two terms. /

Amend the bill further, as and if amended, SECTION 2, by striking Section 59-8-160(A) and (B) and inserting:

/ (A) There is created the 'ESTF Review Panel' that shall serve as an advisory panel to the department.

(B) The review panel shall consist of sixteen members, pursuant to the following:

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- (1) the Governor or his designee, who shall serve as the chair of the panel;
- (2) three members to be appointed by the Governor;
- (3) one member appointed by the Speaker of the House of Representatives;
- (4) one member appointed by the President of the Senate;
- (5) one member appointed by the Chairman of the House of Representatives Education and Public Works Committee;
- (6) one member appointed by the Chairman of the Senate Education Committee;
- (7) two parents of ESA students to be appointed by the Governor;
- (8) the State Superintendent of Education or their designee;
- (9) the South Carolina Department of Education's Deputy Superintendent for College and Career Readiness or their designee;
- (10) the South Carolina Department of Education's Director of Assessment or their designee; and
- (11) three members of the State Board of Education appointed by the Chair of the State Board of Education. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 36A

Senator FANNING proposed the following amendment (VR\935C001.NBD.VR22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-150 by adding appropriately lettered subsections to read:

/ () All education service providers shall provide breakfast, lunch, and an afternoon snack daily to each scholarship student on each school day.

() All education service providers shall provide each scholarship student with transportation to and from the ESP on each school day.

() All education service providers shall provide matching funds for fees paid by a scholarship student for transportation not to exceed seven hundred fifty dollars for each school year. /

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Renumber sections to conform.
Amend title to conform.

Senator FANNING spoke on the amendment.
Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 40

Senator FANNING proposed the following amendment (WAB\935C014.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(F) and inserting:

/ (F) Payments made quarterly by the department to Education Service Providers for the purpose of tuition and fees shall constitute full payment of tuition and fees for each scholarship student and no remaining balance for tuition and fees may be charged to parents in any quarter of the academic year. A parent will be allowed to make payments for the cost of any other qualifying expenses not covered by the funds in their student's ESTF; however, personal deposits into a ESTF are prohibited. /

Renumber sections to conform.
Amend title to conform.

Senator FANNING spoke on the amendment.
Senator HEMBREE spoke on the amendment.
Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 44

Senator GROOMS proposed the following amendment (935R015.KMM.LKG), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, on page 8, in Section 59-8-135, by inserting an appropriately lettered new subsection at line 38 to read:

/ () If in any year the scholarship awards do not reach the capacity provided for in subsection (A), students meeting the

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requirements of Section 59-8-110(3)(a) and (b) will be considered an 'eligible student' for the purposes of this chapter. /

Re-number sections to conform.

Amend title to conform.

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

Amendment No. 46

Senators MARTIN and TALLEY proposed the following amendment (935R016.SP.SRM), which was adopted:

Amend the bill, as and if amended, SECTION 2, on page 14 after line 19, by adding a new Section to read:

/ Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to any prohibition by the South Carolina High School League on a transfer student from participating in a sport immediately upon transfer." /

Re-number sections to conform.

Amend title to conform.

Senator TALLEY spoke on the amendment.

The amendment was adopted.

Amendment No. 47

Senator BENNETT proposed the following amendment (935R017.SP.LKG), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by striking Section 59-8-135 and inserting:

/ Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

(1) in School Year 2023-2024, the program is limited to one percent of the most recent 135-day ADM count from the South Carolina Department of Education;

(2) in School Year 2024-2025, the program is limited to two percent of the most recent 135-day ADM count from the South Carolina Department of Education;

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(3) in School Year 2025-2026, the program is limited to three percent of the most recent 135-day ADM count from the South Carolina Department of Education; and

(4) in School Year 2026-2027, and for all subsequent school years, the program is limited to four percent of the most recent 135-day ADM count from the South Carolina Department of Education.

(B) In 2027, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator BENNETT, the amendment was carried over.

Amendment No. 48

Senator GROOMS proposed the following amendment (935R018.KMM.LKG), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately lettered new subsection to Section 59-8-135 to read:

/ () If in any year the scholarship awards do not reach the capacity provided for in subsection (A), then students meeting the requirements of Section 59-8-110(3)(a) and (b) who would not be otherwise eligible may apply to the program. Priority shall be given on a household income basis. Applicants residing in households with lower household income shall receive first priority in the award of scholarships./

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator GROOMS spoke on the amendment.

Senator HUTTO spoke on the amendment.

The question then was the adoption of the amendment.

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

Ayes 17; Nays 22; Present 1

AYES

Adams

Alexander

Cash

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Climer	Corbin	Cromer
Davis	Grooms	Gustafson
Jackson	Kimbrell	Loftis
Peeler	Rankin	Rice
Senn	Verdin	

Total--17

NAYS

Allen	Bennett	Fanning
Gambrell	Garrett	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimpson	Malloy	Massey
Matthews	McElveen	McLeod
Sabb	Scott	Stephens
Talley	Turner	Williams
Young		

Total--22

PRESENT

Martin

Total--1

The amendment was not adopted.

On motion of Senator GROOMS, with unanimous consent, the Amendment No. 44 was withdrawn.

On motion of Senator BENNETT, with unanimous consent, the Amendment No. 47 was withdrawn.

The question then was second reading of the Bill.

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

Ayes 25; Nays 15

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin

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Cromer	Davis	Gambrell
Garrett	Grooms	Gustafson
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Massey	Peeler
Rankin	Rice	Senn
Talley	Turner	Verdin
Young		

Total--25

NAYS

Allen	Fanning	Hutto
Jackson	<i>Johnson, Kevin</i>	Kimpson
Malloy	Martin	Matthews
McElveen	McLeod	Sabb
Scott	Stephens	Williams

Total--15

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. George R. "Robbie" McClure of Edisto Island, S.C. Robbie was a track and field star at Walterboro High School and was later inducted into the Colleton County Athletic Hall of Fame. He graduated from The Citadel and enjoyed a 25 year volunteer coaching tenure. Robbie began McClure and Associates in 1987. He was a member of Evergreen Christian Church in Walterboro and attended Redeemer Fellowship on Edisto Island. Robbie enjoyed coaching, Alabama football and spending time with his family. Robbie was a loving husband, devoted father and doting grandfather who will be dearly missed.

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ADJOURNMENT

At 8:53 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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