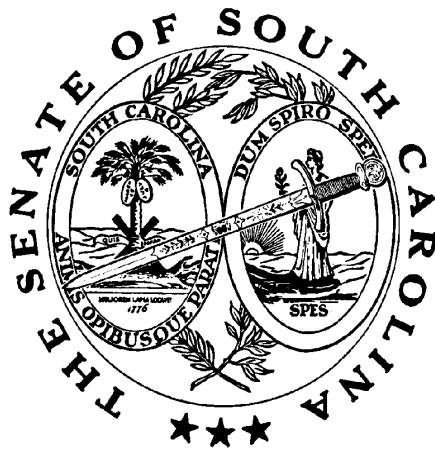


NO. 65

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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TUESDAY, MAY 3, 2022

**Tuesday, May 3, 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:

Zephaniah 3:17

Zephaniah called upon his people never to forget that: "The Lord your God is with you, he is mighty to save. He will take great delight in you, he will quiet you with his love, he will rejoice over you with singing."

Bow in prayer with me: Glorious Lord, You clearly desire the very best from all of us, we realize that. And every soul in this State House is fully expected to serve and honor You to the very best of his or her abilities. We are to do so on Your behalf, Lord, but also for the wellbeing of everyone here in this State. So today, Lord, we call upon You to guide and to strengthen each one of these Senators and every one of their aides. Bless them all; encourage them. And in those moments when we clearly grasp that some real benefits are being achieved for our citizens, may it be that we truly can hear You, O God, singing Your own songs of praise, as Zephaniah foretold. All this we pray in Your wondrous and loving name, dear Lord. Amen.

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

**Privilege of the Chamber**

On motion of Senator SHEALY, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to the Lexington County Communications Center in order to be honored for being awarded CALEA accreditation for the fifth time.

**REGULATION WITHDRAWN**

The following was received:

Document No. 5099

Agency: Department of Labor, Licensing and Regulation-Board of Examiners in Optometry

Chapter: 95

**TUESDAY, MAY 3, 2022**

Statutory Authority: 1976 Code Sections 40-1-70, 40-37-40(A)(7), and 40-37-320

SUBJECT: Optometrists' Offices

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Medical Affairs

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn April 28, 2022

**Doctor of the Day**

Senator K. JOHNSON introduced Dr. Victoria Pollard of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator FANNING, at 2:42 P.M., Senator McLEOD was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator HUTTO, at 2:42 P.M., Senator KIMPSON was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator K. JOHNSON, at 2:42 P.M., Senators WILLIAMS and SCOTT were granted a leave of absence for today.

**Leave of Absence**

On motion of Senator SABB, at 2:42 P.M., Senator STEPHENS was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator HUTTO, at 2:45 P.M., Senator MATTHEWS was granted a leave of absence for today.

**RECALLED**

H. 4043 -- Reps. R. Williams and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOFFMEYER ROAD IN DARLINGTON COUNTY WEST OF THE DARLINGTON/FLORENCE COUNTY LINE TO A POINT WEST OF ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 340 "TERRENCE CARRAWAY MEMORIAL HIGHWAY" AND ERECT

**TUESDAY, MAY 3, 2022**

APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1303 -- Senator Harpootlian: A SENATE RESOLUTION TO CONDEMN THE GOVERNMENT OF SOMALIA FOR ITS OPPRESSIVE AND VIOLENT TREATMENT OF WOMEN AND CHRISTIANS UNDER THE PROVISIONS OF SHARIA LAW.

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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

S. 1304 -- Senator Rice: A CONCURRENT RESOLUTION TO CONGRATULATE THE PICKENS COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PICKENS COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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

S. 1305 -- Senators Alexander, Adams, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF HENRY CLYDE HARRISON, JR. AND TO EXTEND OUR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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**TUESDAY, MAY 3, 2022**

The Senate Resolution was adopted.

S. 1306 -- Senator Hutto: A CONCURRENT RESOLUTION TO RECOGNIZE OLIVER "BUDDY" POUGH, HEAD FOOTBALL COACH OF SOUTH CAROLINA STATE UNIVERSITY, FOR HIS OUTSTANDING COACHING CAREER AND TO CONGRATULATE HIM FOR BEING NAMED AS A SOUTH CAROLINA STATE EMPLOYEE ASSOCIATION HONOREE.

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

S. 1307 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR FRANCES KING HILTON FOR HER MANY CONTRIBUTIONS TO THE C. E. MURRAY COMMUNITY AND TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1308 -- Senators Alexander, Cromer, Adams, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE ELTON O. SPAIN, SR. UPON THE OCCASION OF HIS RETIREMENT AS A DEPUTY SERGEANT-AT-ARMS OFFICER, TO COMMEND HIM FOR HIS EIGHTEEN YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA STATE SENATE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 1309 -- Senator Hembree: A SENATE RESOLUTION TO EXPRESS SINCERE GRATITUDE TO ALL SOUTH CAROLINA TEACHERS WHO ENTHUSIASTICALLY DEDICATE THEMSELVES TO THE FUTURE AND WELL-BEING OF OUR STUDENTS, TO RECOGNIZE MAY 2 THROUGH 6, 2022, AS "TEACHER APPRECIATION WEEK" AND TO ENCOURAGE SCHOOLS AND COMMUNITIES IN THE PALMETTO STATE TO

**TUESDAY, MAY 3, 2022**

HONOR THE NUMEROUS, VITAL CONTRIBUTIONS OF OUR STATE'S OUTSTANDING TEACHERS.

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The Senate Resolution was adopted.

S. 1310 -- Senator Garrett: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE STUDENTS IN HOLLYWOOD ELEMENTARY SCHOOL CLASS 3A AND THEIR TEACHER, MRS. ANGELIA JACKSON, AND TO CONGRATULATE THEM FOR THEIR OUTSTANDING PERFORMANCE IN THE IMAGINE MATH 2022 NATIONAL MARCH MATH MADNESS CHALLENGE.

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

S. 1311 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE WILLIE MAE MEEKINS OF GREENVILLE COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

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The Senate Resolution was adopted.

S. 1312 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DEBRA ANN SABB-KEELS FOR HER MANY CONTRIBUTIONS TO THE C. E. MURRAY COMMUNITY AND TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1313 -- Senators Alexander, Cromer, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE ELTON O. SPAIN, SR. UPON THE OCCASION OF HIS RETIREMENT AS A DEPUTY SERGEANT-AT-ARMS OFFICER, TO COMMEND HIM FOR HIS EIGHTEEN YEARS OF

**TUESDAY, MAY 3, 2022**

DEDICATED SERVICE TO THE SOUTH CAROLINA STATE SENATE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 1314 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, 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. 1315 -- Senators Climer and M. Johnson: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

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

#### **REPORTS OF STANDING COMMITTEES**

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

H. 3106 -- Reps. Bannister, G.R. Smith, Dillard, Elliott, Hosey and Willis: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION

**TUESDAY, MAY 3, 2022**

OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

Ordered for consideration tomorrow.

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

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

Ordered for consideration tomorrow.

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

H. 3948 -- Reps. Stavrinakis, Murphy and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources polled out H. 4775 favorable:

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF



**TUESDAY, MAY 3, 2022**

CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

**Poll of the Agriculture and Natural Resources Committee  
Polled 15; Ayes 15; Nays 0; Not Voting 2**

**AYES**

Climer	Verdin	McElveen
Sabb	Fanning	Goldfinch
Talley	Harpootlian	Loftis
Garrett	Gustafson	<i>Michael Johnson</i>
Kimbrell	Massey	Reichenbach

**Total--15**

**NAYS**

**Total--0**

**TUESDAY, MAY 3, 2022**

**NOT VOTING**

Williams

Stephens

**Total--2**

Ordered for consideration tomorrow.

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

H. 5057 -- Reps. Simrill, Pope, Erickson and W. Newton: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources polled out H. 5074 favorable:

H. 5074 -- Reps. Haddon, Allison, Burns and Hiott: A JOINT RESOLUTION TO CREATE THE "CHILD FOOD AND NUTRITION SERVICES STUDY COMMITTEE" TO DEVELOP RECOMMENDATIONS FOR TRANSFERRING ADMINISTRATION OF CERTAIN FEDERAL CHILD FOOD AND NUTRITION PROGRAMS IN THIS STATE TO THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE DISSOLUTION OF THE STUDY COMMITTEE.

**Poll of the Agriculture and Natural Resources Committee**

**Polled 15; Ayes 15; Nays 0; Not Voting 2**

**AYES**

Climer

Verdin

McElveen

**TUESDAY, MAY 3, 2022**

Sabb	Fanning	Goldfinch
Talley	Harpootlian	Loftis
Garrett	Gustafson	<i>Michael Johnson</i>
Kimbrell	Massey	Reichenbach

**Total--15**

**NAYS**

**Total--0**

**NOT VOTING**

Williams	Stephens
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**Total--2**

Ordered for consideration tomorrow.

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

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

Ordered for consideration tomorrow.

**INVITATIONS ACCEPTED**

The PRESIDENT ordered the following invitations placed on the Calendar:

**Wednesday, May 4, 2022 - 11:30am - 1:30pm**

Members Only, Luncheon, State House Grounds, by the **CONGRESSIONAL SPORTSMAN'S CAUCUS**

**Wednesday, May 4, 2022 - 5:00pm - 8:00pm**

Members, Staff & Families, Reception, Riverbanks Zoo and Gardens, by the **RIVERBANKS ZOO AND GARDENS**

**TUESDAY, MAY 3, 2022**

**Wednesday, May 4, 2022 - 6:00pm -8:00pm**

Members Only, Reception, Savage Craft Ale Works, by the **SOUTH CAROLINA FISHING & BOATING ALLIANCE**

**Thursday, May 5, 2022 - 8:00am - 10:00am**

Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA RECYCLERS ASSOCIATION**

**Wednesday, May 11, 2022 - 8:00am - 10:00am**

Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION SMART STATE PROGRAM**

**Message from the House**

Columbia, S.C., May 3, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Wooten, Blackwell and Jefferson to the Committee of Conference on the part of the House on:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS

**TUESDAY, MAY 3, 2022**

SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Very respectfully,  
Speaker of the House

Received as information.

**HOUSE CONCURRENCE**

S. 1293 -- Senator K. Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TALAYSIA COOPER FOR HER OUTSTANDING HIGH SCHOOL CAREER IN BASKETBALL AND TO CONGRATULATE HER UPON SIGNING TO PLAY FOR THE UNIVERSITY OF SOUTH CAROLINA IN THE FALL OF 2022.

Returned with concurrence.

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. 1299 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 164 OF 2003, AS AMENDED, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THESE SINGLE-MEMBER ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

**AMENDED, SECOND READING BILL**

S. 1270 -- Senators Peeler, Fanning, Climer and M. Johnson: A BILL TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS

**TUESDAY, MAY 3, 2022**

ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

The Senate proceeded to a consideration of the Bill.

Senator CLIMER proposed the following amendment (ZW\1270C001.CC.ZW22), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking lines 27 through 34 and inserting:

/ “(A)(1) Notwithstanding any other provision of law, beginning with the elections conducted in ~~2014~~ 2022, the five single-member election districts in which five of the seven members of the Board of Trustees of Clover School District No. 2 of York County are required to reside are established and delineated on map number ~~S-91-02-14~~ S-91-02-22 created and maintained by the ~~Office of Research and Statistics of the State Budget and Control Board~~ Revenue and Fiscal Affairs Office. Beginning with the 2022 school district elections, the board seats representing a numbered single-member election district as shown on the school district map that are up for election in 2022 must be elected by the qualified electors of the corresponding numbered election district. A board member representing a numbered single-member election district must be a resident of the school district and the numbered single-member election district from which he is elected, and only those electors residing in the numbered single-member election district are eligible to vote for the trustee who will represent that particular district. /

Amend the bill further, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. All local acts pertaining to the election of members from the five single-member election districts delineated on school district map S-91-02-22 inconsistent with the provisions of this act are repealed as of the effective date of this act, it being the intent of the General Assembly to have this act and the general law be the only provisions of law governing the election of members from the five single-member election districts to the Clover School District No. 2 of York County Board of Trustees. The provisions of this act must not be construed either to eliminate the two at-large members elected from the district pursuant to Act 473 of 2002, as amended, or to alter the schedule that controls when these at-large seats must offer for election. /

Renumber sections to conform.

Amend title to conform.

**TUESDAY, MAY 3, 2022**

Senator CLIMER explained the amendment.

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

**Ayes 2; Nays 2**

**AYES**

Climer (46.64% wv)     *Johnson, Michael (18.27% wv)*

**Total--2**

**NAYS**

Fanning (21.20% wv)     Peeler (13.89% wv)

**Total--2**

Based on the weighted vote required by Rule 51, 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 2; Nays 2**

**AYES**

**AYES**

Climer (46.64% wv)     *Johnson, Michael (18.27% wv)*

**Total--2**

**NAYS**

Fanning (21.20% wv)     Peeler (13.89% wv)

**Total--2**

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

**AMENDMENT PROPOSED, CARRIED OVER**

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE

**TUESDAY, MAY 3, 2022**

TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR “TRAFFICKING IN FENTANYL”, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (VR\458C001.CC.VR22):

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

/ SECTION 1. Section 44-53-110 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) ‘Fentanyl-related substances’ means, unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

(a) replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(b) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;

(c) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;

(d) replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(e) replacement of the N-propionyl group by another acyl group or hydrogen.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha-methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta-hydroxyfentanyl, Beta-hydroxy-3-methylfentanyl, 3-Methylfentanyl, Methylthiofentanyl, Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetylfentanyl, Butyrylfentanyl, Beta-Hydroxythiofentanyl, Lofentanil, Ocfentanil, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl Fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl,



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Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fentanyl.”

SECTION 2. Section 44-53-190(B) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“ . Fentanyl-related substances”

SECTION 3. Section 44-53-370(e) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) four grams or more of any fentanyl or fentanyl-related substance, as defined in Section 44-53-110, or four grams or more of any mixture containing fentanyl or any fentanyl-related substance, is guilty of a felony which is known as ‘trafficking in fentanyl’ and, upon conviction, must be punished as follows:

(a) four grams or more, but less than fourteen grams:

(1) for a first offense, a term of imprisonment of not less than seven years nor more than twenty-five years, no part of which may be suspended or probation granted, and a fine of fifty thousand dollars;

(2) for a second or subsequent offense, a mandatory minimum term of imprisonment of twenty-five years, no part of which may be suspended or probation granted, and a fine of one hundred thousand dollars;

(b) fourteen grams or more but less than twenty-eight grams, a mandatory term of imprisonment of twenty-five years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars;

(c) twenty-eight grams or more, a mandatory term of imprisonment of not less than twenty-five years nor more than forty years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars.”

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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SECTION 5. This act takes effect upon approval by the Governor. /  
Re-number sections to conform.  
Amend title to conform.

Senator HEMBREE explained the amendment.

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

**CARRIED OVER**

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

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

**AMENDMENT PROPOSED, CARRIED OVER**

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

The Senate proceeded to a consideration of the Resolution.

Senator DAVIS proposed the following amendment (PH\4831C001.JN.PH22):

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Amend the joint resolution, as and if amended, by striking SECTION 5, and inserting:

/ SECTION 5. A. The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and opportunities for employment;

(2) the cost of electricity and the availability of renewable energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate or expand their existing establishments in South Carolina;

(3) competitive electric rates, terms, and conditions and the ability to utilize renewable energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State;

(4) the Public Service Commission of South Carolina should weigh and consider any quantifiable net benefits that may result from economic development opportunities resulting from prospective commercial or industrial entities in determining whether rates, terms, and conditions proposed by an electrical utility as defined by Section 58-27-10(7) are reasonable, prudent, and in the best interest of the electrical utility's general body of retail customers; and

(5) rates proposed by electrical utilities for prospective commercial or industrial entities that are at or greater than the electrical utility's marginal cost should be presumed reasonable.

B. For the purposes of this act unless otherwise specified:

(1) "Commission" means Public Service Commission of South Carolina.

(2) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(3) "Prospective manufacturing entity" means a commercial or industrial entity that proposes to:

(a) request new, permanent electric service to a new establishment or location in an electrical utility's service territory;

(b) expand an existing establishment in an electrical utility's service territory that has existing permanent electric service and which expansion will result in additional electrical load on the electrical utility's system; or

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(c) locate in an existing establishment and establish a new customer service account with the electrical utility for which expansion will result in additional electrical load on the electrical utility's system;

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective manufacturing entity.

(6) "Contracts" shall have the same meaning as the term is used in Section 58-27-980.

(7) "Qualifying customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina; or expand its existing establishment; and such location or expansion results in the addition of a minimum of:

(a) 500 kilowatts at one point of delivery;

(b) one hundred new employees; and

(c) capital investment of four hundred thousand dollars following the electrical utility's approval for service.

(8) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electric power generation from a renewable energy source for its economic development location or expansion.

C. (A) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective manufacturing entity with a rate proposal containing terms and conditions that would incentivize and encourage the prospective manufacturing entity to employ additional workforce and to make capital investments in the electrical utility's service territory. The rate proposal provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer.

(B) The electrical utility shall file the rate proposal with the commission for review and acceptance. The rate proposal is determined to be presumptively reasonable if the rates, terms, and conditions are equal to or greater than the electrical utility's marginal cost.

D. (A) Nothing in this act shall restrict the commission's authority to regulate rates and charges or review contracts entered into by, or supervise the operations of electrical utilities.

(B) An electrical utility may offer economic development rates to a qualifying customer that may be lower than the rate or rates that the qualifying customer otherwise would be or is subject to under the electrical utility's commission-approved tariffs in effect at the time;

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provided, however, that the economic development rate must not be lower than the electrical utility's marginal cost of providing service to the qualifying customer.

(C) An electrical utility may negotiate and enter into agreements that contain economic development rates with a qualifying customer, which agreements and rates shall be subject to commission approval, and which shall be for a term not exceeding ten years. The electrical utility may offer the qualifying customer real-time pricing options or riders for other clean energy attributes which may support the qualifying customer's sustainability goals.

(D) In the commission's determination of the public interest for any economic development rate or contract, the electrical utility bears the burden of proof to establish that:

(1) the rates or charges assessed to the electrical utility's other customers do not subsidize the cost of providing economic development rates to a qualifying customer;

(2) the rates of other electrical utility operations do not increase; and

(3) other customers of the electrical utility do not experience a rate increase due to a rate or rates offered to a qualifying customer.

E. In compliance with federal and state law, the utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying customer to support electric power generation at its economic development location or expansion where high-quality and reliable electric service are not adversely impacted.

F. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

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

**RECOMMITTED**

S. 1249 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO SEPARATION NOTICES, DESIGNATED AS

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REGULATION DOCUMENT NUMBER 5093, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

**RECOMMITTED**

S. 1250 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, RELATING TO SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4993, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

**RECOMMITTED**

S. 1254 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF MEDICAL EXAMINERS, RELATING TO EMERGENCY LICENSURE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5090, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator DAVIS the Resolution was recommitted to Committee on Medical Affairs.

**RECOMMITTED**

S. 1255 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO LICENSING PROVISIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5101, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator DAVIS the Resolution was recommitted to Committee on Medical Affairs.

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**RECOMMITTED**

S. 1256 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF MEDICAL EXAMINERS, RELATING TO CRITERIA FOR PHYSICIAN SUPERVISION OF NURSES IN EXTENDED ROLE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5049, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator DAVIS the Resolution was recommitted to Committee on Medical Affairs.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\3006C001.RT.WAB22), which was adopted:

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

/ SECTION 1. Article 7, Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Section 59-63-785. (A) A public school or public school district, including a charter school or charter school governing body, may not:

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(1) use a debt collection agency to collect or attempt to collect, directly or indirectly, debts due or assessed to be owed for outstanding debts on a school lunch or breakfast account of a student; or

(2) assess or collect any interest, fees, or other such monetary penalties for outstanding debts on student school lunch or breakfast accounts.

(B) For purposes of this section, ‘debt collection agency’ means any person or entity that collects or attempts to collect, directly or indirectly, debts due or asserted to be owed or due another. ‘Debt collection agency’ does not include the South Carolina Department of Revenue or the programs they administer or a public school, public school district, charter school, or charter school governing body.”

SECTION 2. The provisions of this act apply to debts on student lunch and breakfast accounts outstanding on the effective date of this act and incurred after the effective date of this act.

SECTION 3. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Senator HEMBREE 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	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy



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Talley  
Young

Turner

Verdin

**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.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED  
POINT OF ORDER, OBJECTION**

H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD3050.010), which was adopted:

Amend the committee report, as and if amended, beginning on page [3050-3], line 14, and ending on page [3050-4], line 31, by striking SECTION 2, and inserting therein:

/ SECTION 2. Sections 23-23-150(A) and (B) of the 1976 Code, as added by Act 215 of 2018, are amended to read:

“(A) For purposes of this section:

(1) ‘Academy’ means the South Carolina Criminal Justice Academy.

(2) ‘Council’ means the Law Enforcement Training Council.

(3) ‘Misconduct’ means:

(a) a conviction, plea of guilty, plea of no contest or admission of guilt to a felony, a crime punishable by a sentence of more than one year, regardless of the sentence actually imposed, or a crime of moral

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turpitude, any of which were committed in this State or any other jurisdiction;

(b) the unlawful use of a controlled substance;

(c) the repeated use of excessive force in dealing with the public or prisoners;

(d) dangerous or unsafe practices involving firearms, weapons, or vehicles which indicate either a wilful or wanton disregard for the safety of persons or property;

(e) the physical or psychological abuse of members of the public or prisoners;

(f) the wilful failure to intervene when observing another officer physically abusing a person, whether or not the person is in custody, while in the performance of his official duties, if the officer knew the person's rights were being violated, the officer had an opportunity to intervene, and the officer chose not to do so;

(g) the wilful and knowing failure to promptly report another officer, while in the performance of his official duties, abusing a person whether or not the person is in custody;

(h) the misrepresentation of employment-related information;

~~(g)~~(i) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to a law enforcement officer, a law enforcement agency, or a representative of the agency, except when required by departmental policy or by the laws of this State;

~~(h)~~(j) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to any court of competent jurisdiction, or their staff members, whether under oath or not;

~~(i)~~(k) wilfully providing false, misleading, incomplete, deceitful, or incorrect information on a document, record, report, or form, except when required by departmental policy or by the laws of this State;

~~(j)~~(l) the falsification of any application for certification and training based upon which the officer was admitted for training; or

~~(k)~~(m) wilfully providing false information to the Criminal Justice Academy or the Law Enforcement Training Council.

(B)(1) The sheriff or the chief executive officer of a law enforcement agency or department within the State must report to the academy the occurrence of any act or multiple acts ~~of misconduct~~ by a law enforcement officer, who is currently or was last employed by his agency, he reasonably believes to be misconduct which could result in the withdrawal of the certification of the law enforcement officer who is currently or was last employed by his agency. The report shall be made

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within fifteen days of the final agency or department action resulting from the internal investigation conducted by the agency or department, and shall be on a form prescribed by the council.

(2) Reported incidences of misconduct shall be prosecuted by the reporting agency before the contested case hearing. The reporting agency shall maintain prosecutorial discretion up to the time of the contested case hearing. If the agency declines to prosecute the allegation or allegations of misconduct, the agency shall provide a written report to the council stating that the case is not being prosecuted.

(3) A wilful failure to report information related to acts of misconduct shall subject the violator to a civil penalty as provided by the council. The council may impose civil fines, in its discretion, not to exceed five hundred dollars per day for each day an agency is out of compliance with this section.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD3050.009), which was adopted:

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

/ SECTION 1. Section 23-23-40 of the 1976 Code is amended to read:

“Section 23-23-40. (A) No law enforcement officer employed or appointed on or after July 1, ~~1989~~ 2022, by any public law enforcement agency in this State is authorized to enforce the laws or ordinances of this State or any political subdivision thereof unless he has been certified as qualified by the council, except that any public law enforcement agency in this State may appoint or employ as a law enforcement officer, a person who is not certified if, within one year after the date of employment or appointment, the person secures certification from the council; provided, that if any public law enforcement agency employs or appoints as a law enforcement officer a person who is not certified, the person shall not perform any of the duties of a law enforcement officer involving the control or direction of members of the public or exercising the power of arrest until he has successfully completed a firearms qualification program approved by the council; and provided, further,

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that within three working days of employment, the academy must be notified by a public law enforcement agency that a person has been employed by that agency as a law enforcement officer, and within three working days of the notice the firearms qualification program as approved by the director must be provided to the newly hired personnel; and shall only perform his duties as a law enforcement officer while accompanied by a certified law enforcement officer. If the firearms qualification program approved by the director is not available within three working days after receipt of the notice, then the public law enforcement agency making the request for the firearms qualification program may employ the person to perform any of the duties of a law enforcement officer, including those involving the control and direction of members of the public and exercising the ~~powers~~ power of arrest. Should any such person fail to secure certification within one year from his date of employment, he may not perform any of the duties of a law enforcement officer involving control or direction of members of the public or exercising the power of arrest until he has been certified. He is not eligible for employment or appointment by any other agency in South Carolina as a law enforcement officer, nor is he eligible for any compensation by any law enforcement agency for services performed as an officer. Exceptions to the one-year rule may be granted by the director in these cases:

(1) military leave or injury occurring during that first year which would preclude the receiving of training within the usual period of time; or

(2) in the event of the timely filing of application for training, which application, under circumstances of time and physical limitations, cannot be honored by the training academy within the prescribed period; or

(3) upon presentation of documentary evidence that the officer-candidate has successfully completed equivalent training in one of the other states which by law regulate and supervise the quality of police training and which require a minimum basic or recruit course of duration and content at least equivalent to that provided in this chapter or by standards set by the council; or

(4) if it is determined by documentary evidence that the training will result in undue hardship to the requesting agency, the requesting agency must propose an alternate training schedule for approval.

(B) Notwithstanding another provision of law, in the case of a candidate for certification who begins one or more periods of state or federal military service within one year after his date of employment or

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appointment, the period of time within which he must obtain the certification required to become a law enforcement officer is automatically extended for an additional period equal to the aggregate period of time the candidate performed active duty or active duty for training as a member of the National Guard, the State Guard, or a reserve component of the Armed Forces of the United States, plus ninety days. The director must take all necessary and proper action to ensure that a candidate for certification as a law enforcement officer who performs military service within one year of his employment or appointment is not prejudiced in obtaining certification as a result of having performed state or federal military service.”

SECTION 2. Sections 23-23-150(A) and (B) of the 1976 Code, as added by Act 215 of 2018, are amended to read:

“(A) For purposes of this section:

(1) ‘Academy’ means the South Carolina Criminal Justice Academy.

(2) ‘Council’ means the Law Enforcement Training Council.

(3) ‘Misconduct’ means:

(a) a conviction, plea of guilty, plea of no contest or admission of guilt to a felony, a crime punishable by a sentence of more than one year, regardless of the sentence actually imposed, or a crime of moral turpitude, any of which were committed in this State or any other jurisdiction;

(b) the unlawful use of a controlled substance;

(c) the repeated use of excessive force in dealing with the public or prisoners;

(d) dangerous or unsafe practices involving firearms, weapons, or vehicles which indicate either a wilful or wanton disregard for the safety of persons or property;

(e) the physical or psychological abuse of members of the public or prisoners;

(f) the failure to intervene when observing another officer physically abusing a member of the public or a prisoner provided the time or situation permits, or if unable to intervene, the failure to promptly report such abuse;

(g) the misrepresentation of employment-related information;

~~(g)~~(h) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to a law enforcement officer, a law enforcement agency, or a representative of the agency, except when required by departmental policy or by the laws of this State;

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~~(h)~~(i) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to any court of competent jurisdiction, or their staff members, whether under oath or not;

~~(i)~~(j) wilfully providing false, misleading, incomplete, deceitful, or incorrect information on a document, record, report, or form, except when required by departmental policy or by the laws of this State;

~~(j)~~(k) the falsification of any application for certification and training based upon which the officer was admitted for training; or

~~(k)~~(l) wilfully providing false information to the Criminal Justice Academy or the Law Enforcement Training Council.

(B) The sheriff or the chief executive officer of a law enforcement agency or department within the State must report to the academy the occurrence of any act or multiple acts of misconduct by a law enforcement officer which could result in the withdrawal of the certification of the law enforcement officer who is currently or was last employed by his agency. The report shall be made within fifteen days of the final agency or department action resulting from the internal investigation conducted by the agency or department, and shall be on a form prescribed by the council. A law enforcement agency that has made a report under this section shall cooperate fully with any action by the council, to include mandatory attendance by a representative of the agency knowledgeable of the circumstances surrounding the allegation at any scheduled hearing. A wilful failure to report information related to acts of misconduct or the failure to cooperate with any order or action by the Council shall subject the violator to a civil penalty as provided by the council. The council may impose civil fines, in its discretion, not to exceed one thousand dollars per day for each day an agency is out of compliance with this section."

SECTION 3. Chapter 1, Title 23 of the 1976 Code is amended by adding:

"Section 23-1-250. (A) The use of a chokehold or carotid hold is limited to circumstances where the use of deadly force would otherwise be authorized and is objectively reasonable.

(B) In addition to any other penalty provided by law, the willful use of excessive force in an objectively unreasonable manner may be considered misconduct and may serve as grounds for disciplinary action against the law enforcement officer, including dismissal, demotion, suspension, or transfer.

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(C) The Law Enforcement Training Council shall develop and implement curricula and standards to address the lawful justifiable use of chokeholds and carotid holds in accordance with this section.”

SECTION 4. Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23-23-85. (A) The council shall establish required minimum standards for all law enforcement agencies. The standards must include, but are not limited to, policies regarding:

(1) the use of force and response to resistance by law enforcement officers. The policy must establish standards limiting officers to force that is objectively reasonable based on the totality of the circumstances involved. The policy must prohibit the use of chokeholds and carotid restraints as less lethal force options;

(2) uniform vehicle pursuit standards and the use of lethal options during pursuit;

(3) an officer’s duty to intervene in the actions of other observed officers;

(4) hiring and terminating practices;

(5) mandatory and uniform post basic academy field training;

(6) uniform implementation and the use of body worn cameras;

(7) the use of ‘no knock’ warrants;

(8) the establishment, implementation, or continuation of systems and processes for filing and investigating complaints, including anonymous complaints, against the law enforcement agency or an employee of the law enforcement agency. The council shall require law enforcement agencies to have a written directive, which must be made available to the public, that delineates how complaints can be made, the investigative process of such complaints, and a maximum timeframe for the resolution of the complaint. All substantiated complaints must be reported to the council through standardized forms as promulgated by the council; and

(9) the establishment, implementation, or continuation of an early warning system that identifies, assesses, reviews, and tracks at-risk behavior of employees and requires intervention where appropriate.

(B) For the purposes of this section, ‘at-risk behavior’ is defined as behavior or action that increases the risk of injury to an employee or to others, that could constitute a civil rights violation, or that could result in the law enforcement agency losing public support and confidence. Examples of ‘at-risk behavior’ shall include, but are not limited to, repeated uses of force, at-fault traffic accidents, repeated founded complaints, improper vehicle pursuits, repeated violations of agency

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policy or procedures, excessive use of leave, excessive Workers' Compensation Claims, or documented substandard performance.

(C) The council shall have the authority to take punitive action against any law enforcement agency that refuses to comply with standards issued pursuant to this section, including civil fines, as described in Section 23-23-100.

(D) Nothing in this section shall be construed to prevent or prohibit law enforcement agencies from adopting policies that exceed the minimum standards adopted by the council.”

SECTION 5. Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23-23-160. (A) There is hereby established a Compliance Division under the jurisdiction of the council. The inspectors and such other personnel as may be provided for the division shall be selected by the director.

(B) The division shall be responsible for inspecting, at least once every three years, the relevant policies and procedures for every law enforcement agency in this State to ensure compliance with minimum standards established in Section 23-23-85. For the purposes of this section, ‘law enforcement agency’ means any agency or entity of the State or any of its political subdivisions that employs or appoints law enforcement officers.

(C) If an inspection under this chapter discloses that a law enforcement agency does not meet the minimum standards established in Section 23-23-85, the council shall notify the law enforcement agency director and hold a meeting of the council to consider the inspection reports. If requested, the inspection personnel shall appear to advise and consult concerning appropriate corrective action. The law enforcement agency shall initiate appropriate corrective action within ninety days or may be subject to additional penalties, as described in Section 23-23-100.

(D) If a law enforcement agency produces evidence satisfactory to the director to prove the agency is currently accredited by either the South Carolina Law Enforcement Accreditation Council or the Commission on Accreditation for Law Enforcement Agencies, the agency shall be exempt from inspections pursuant to this section and shall be deemed to be in compliance with the minimum standards established in Section 23-23-85.”

SECTION 6. Section 23-23-100 of the 1976 Code is amended to read:



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~~“Section 23-23-100. (A) Whenever the director finds that any public law enforcement agency is in violation of any provisions of this chapter, the director may issue an order requiring the public law enforcement agency to comply with the provision. The director may bring a civil action for injunctive relief in the appropriate court or may bring a civil enforcement action. Violation of any court order issued pursuant to this section must be considered contempt of the issuing court and punishable as provided by law. The director also may invoke the civil penalties as provided in subsection (B) for violation of the provisions of this chapter, including any order or regulation hereunder. Any public law enforcement agency against which a civil penalty is invoked by the director may appeal the decision to the court of common pleas of the county where the public law enforcement agency is located.~~

~~(B) Any public law enforcement agency which fails to comply with this chapter and regulations promulgated pursuant to this chapter or fails to comply with any order issued by the director is liable for a civil penalty not to exceed one thousand five hundred dollars a violation. When the civil penalty authorized by this subsection is imposed upon a sheriff, the sheriff is responsible for payment of this civil penalty. All public law enforcement agencies are required to comply with the provisions of this chapter and the regulations promulgated pursuant to this chapter. Whenever the director finds that any public law enforcement agency is in violation of any provision of this chapter, or any regulation promulgated pursuant to this chapter, the director shall notify the public law enforcement agency of the violation and of the public law enforcement agency’s duty to comply with the provision and/or regulation. This notification shall be sent to the public law enforcement agency head via certified US Mail or delivered by hand. The agency must come into compliance within thirty days.~~

~~(B) If after thirty days the public law enforcement agency has failed to come into compliance, the director, at the direction of the council, shall issue an order requiring the public law enforcement agency to comply with the provision or regulation. This order may include a civil penalty not to exceed one thousand dollars per violation per day the agency is not in compliance or is found in violation. Any public law enforcement agency against which a civil penalty is invoked by the director may appeal the decision to the court of common pleas of the county where the public law enforcement agency is located.~~

~~(C) If the public law enforcement agency has failed to comply with the director’s order, the director shall either bring a civil action for injunctive relief or a civil enforcement action for failure to comply with~~

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the order in the court of common pleas of the county where the public law enforcement agency is located. Violation of any court order issued pursuant to this section must be considered in contempt of the issuing court and punishable as provided by law.

(D) If the imposition of civil fines fails to bring a law enforcement agency into compliance with the provisions of this chapter, regulations promulgated pursuant to this chapter, or an order authorized in this chapter, the council is authorized to temporarily hold in abeyance the law enforcement certification of every law enforcement officer employed or appointed by the noncompliant law enforcement agency until such time as the council deems the agency to be in compliance with the minimum standards or a motion for injunctive relief is settled. An individual whose law enforcement certification has been held in abeyance by the council is not authorized to enforce the laws or ordinances of this State or any political subdivision thereof. An individual who has had his law enforcement certification held in abeyance as a result of a noncompliant law enforcement agency shall not be prohibited from regaining law enforcement certification if he is subsequently employed or appointed by a compliant law enforcement agency, provided he is otherwise qualified to be certified. Further, in the event the council holds law enforcement certifications in abeyance at a noncompliant law enforcement agency, no law enforcement officer shall go without his or her regular pay, compensation, and benefits. Any records for the certification hold for the individual officer must be expunged by the council within thirty days of the termination of the hold after full compliance by the agency or the employment by another agency.”

SECTION 7. Section 23-23-60(B)(5) of the 1976 Code is amended to read:

“(5) evidence satisfactory to the director that the candidate is a person of good character. This evidence must include, but is not limited to:

(a) certification by the candidate's employer that a background investigation has been conducted and the employer is of the opinion that the candidate is of good character;

(b) evidence satisfactory to the director that the candidate holds a valid current state driver's license with no record during the previous five years for suspension of driver's license as a result of driving under the influence of alcoholic beverages or dangerous drugs, driving while impaired (or the equivalent), reckless homicide, involuntary manslaughter, or leaving the scene of an accident. Candidates for

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certification as state or local correctional officers may hold a valid current driver's license issued by any jurisdiction of the United States;

(c) evidence satisfactory to the director that a local credit check has been made with favorable results;

(d) evidence satisfactory to the director that the candidate's fingerprint record as received from the Federal Bureau of Investigation and South Carolina Law Enforcement Division indicates no record of felony convictions; and

(e) evidence satisfactory to the director that the candidate has signed an attestation form committing to the practice of ethical policing, which means the discharge of responsibilities, stemming from employment as a law enforcement officer, which is devoid of misconduct and which is carried out in conformance with this chapter, including the duty to safeguard life and the duty to intervene.

In the director's determination of good character, the director shall give consideration to all law violations, including traffic and conservation law convictions, as indicating a lack of good character. The director shall also give consideration to the candidate's prior history, if any, of alcohol and drug abuse in arriving at a determination of good character;"

SECTION 8. Section 16-23-20(1) of the 1976 Code is amended to read:

"(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers ~~employed as private detectives or private investigators;~~"

SECTION 9. This act takes effect upon approval by the Governor; however, SECTION 4 and SECTION 5 take effect on January 1, 2023./

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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Senator HARPOOTLIAN proposed the following amendment (3050R003.SP.RAH), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_. Section 16-23-50(A)(2) of the 1976 Code is amended to read:

“(2) A person violating the provisions of Section 16-23-20 is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both. Bond shall be set by the circuit court.

(3) A person violating the provisions of Section 16-23-30, who is prohibited by state and federal law from possessing a firearm, is guilty of a felony and, upon conviction, must be fined not less than five thousand dollars or imprisoned for not less than one year, but not to exceed five years, or both. Bond shall be set by the circuit court.” /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

Senator MALLOY spoke on the amendment.

#### **Point of Order**

Senator MALLOY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MALLOY spoke on the Point of Order.

Senator HARPOOTLIAN spoke on the Point of Order.

Senator CORBIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator MALLOY objected to further consideration of the Bill.

#### **COMMITTEE AMENDMENT ADOPTED**

##### **READ THE SECOND TIME**

H. 3144 -- Reprs. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE “SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS

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SCHOLARSHIP (SC WINS)”, TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SA\3144C001.JN.SA22), which was adopted:

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

/ SECTION 1. Chapter 150, Title 59 of the 1976 Code is amended by adding:

“Section 59-150-365. (A)(1) A student who is pursuing a professional certificate, industry-recognized credential (IRC), diploma, or degree from a public South Carolina Technical college, meeting the qualifying criteria, shall receive a South Carolina Workforce Industry Needs Scholarship (SCWINS). The SCWINS scholarship is equal to the cost of tuition, fees, or expenses for required course related materials after applying all other federal or state scholarships or grants, not to exceed five thousand dollars each year for no more than three years of instruction, including the student’s freshman year, if the student is enrolled in an associate degree program, or no more than two years of instruction, including the student’s freshman year, if enrolled in an IRC, diploma, or professional certificate program.

(2) A qualifying student must:

(a) be a South Carolina resident;

(b) be enrolled in a career education program that meets the eligibility guidelines promulgated by the State Board for Technical and Comprehensive Education (SBTCE); and

(c) meet one of the following criteria:

(i) be employed;

(ii) take a financial literacy course offered at the public technical college; or

(iii) complete one hundred hours of voluntary time contributing to a nonprofit or public service organization approved by the SBTCE.

(B) The SBTCE shall promulgate regulations to define what constitutes a career eligible education program to include the process for determining eligible programs with regional or statewide workforce needs. Additionally, the SBTCE shall communicate and provide to the colleges an annual approved list of eligible programs and identification

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of those programs with regional or statewide workforce needs before disbursement of funds and no later than March thirty-first. SBTCE also shall communicate with high school guidance counselors regarding the list of eligible programs in a timely manner.

(C) Credit-seeking recipients of SCWINS shall maintain their scholarship eligibility by showing substantial progress on their coursework and maintaining a grade point average of 2.0 or better on a 4.0 grading scale.

(D) A student may not be eligible to receive the SCWINS scholarship for more than one certificate, IRC, diploma, or degree within any five-year period following the student's last scholarship disbursement unless the additional certificate, diploma, or degree constitutes progress in the same field of study.

(E) South Carolina public technical colleges shall allocate a minimum of five percent of their total SCWINS allocation towards dual enrollment students eligible under this section.

(F) Priority for scholarship awards must be given to students seeking a degree, diploma, professional certificate, or industry-recognized credential (IRC) in an industry sector with regional or statewide workforce needs as identified yearly by SBTCE.

(G) If an eligible program is placed on suspension during the SBTCE's annual program evaluation process, that program no longer qualifies for SCWINS funds at that specific college. Students must be advised on how to complete their program by transferring to another technical college or serving as a transient student at another technical college to complete specified courses.

(H) The SBTCE shall provide an annual report by April fifteenth, to the Chairman of House Ways and Means Committee and the Chairman of the Senate Finance Committee detailing the use of funds received in the prior fiscal year. The report must include, at a minimum, a list of programs for each technical college that received funding, the amount spent on each program, the number of students that received scholarships, the average scholarship amount for each student, a list of credential categories completed by scholarship students, the average amount of money received by the scholarship student for each credential category, and job placement rates for scholarship students by credential category.

(I) The SBTCE and the South Carolina Department of Employment and Workforce shall collaborate to inform individuals who are receiving Unemployment Insurance about short-term training programs available at their local technical college through the SCWINS Program.”

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SECTION 2. This act takes effect on July 1, 2022 and applies to the 2022-2023 School Year. /

Re-number sections to conform.

Amend title to conform.

Senator HEMBREE 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	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
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.

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**READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question then being second reading of the Bill.

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	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

**Total--40**

**NAYS**

**Total--0**



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

**CARRIED OVER**

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

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

**CARRIED OVER**

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

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

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**READ THE SECOND TIME**

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

**Motion Adopted**

Senator MASSEY asked unanimous consent to make a motion 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.

There was no objection.

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

**OBJECTION**

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

Senator KIMBRELL objected to consideration of the Bill.

**READ THE SECOND TIME**

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

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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.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question then being second reading of the Bill.

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	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

**Total--40**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH

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CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SA\4766C001.JN.SA22), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 13-1-2030(A) and inserting:

/ “Section 13-1-2030.(A) There is established the ‘Coordinating Council for Workforce Development’ which is created to engage in discussions, collaboration, and information sharing concerning the state’s ability to prepare and train workers to meet current and future workforce needs. The coordinating council ~~shall~~ must be comprised of ~~the following members:~~

- (1) the Secretary of the Department of Commerce or his designee;
- (2) the State Superintendent of Education or his designee;
- (3) the Executive Director of the State Board for Technical and Comprehensive Education or his designee;
- (4) the Executive Director of the Department of Employment and Workforce or his designee;
- (5) the Executive Director of the Commission on Higher Education or his designee;
- (6) the president or provost of a research university who ~~shall be~~ is selected by the presidents of the research universities;
- (7) the president or provost of a four-year college or university who ~~shall be~~ is selected by the presidents of the four-year universities;
- (8) the president of a technical college who shall be appointed by the Chairman of the State Board for Technical and Comprehensive Education;
- (9) ~~a person~~ the following members appointed by the State Superintendent of Education who ~~has particularized~~ have expertise regarding Chapter 59, Title 59, the South Carolina Education and Economic Development Act:
  - (a) a school district superintendent;
  - (b) a school counselor; and
  - (c) a career and technology education director; and
- (10) ~~a representative~~ two representatives from the business community appointed by the ~~President of the South Carolina Chamber~~

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of Commerce Governor, who have professional expertise in economic development and workforce issues;

(11) a person appointed by the Chairman of the House Education and Public Works Committee and a person appointed by the House minority party leader; and

(12) a person appointed by the Chairman of the Senate Education Committee and a person appointed by the Senate minority party leader./

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE 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	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

**Total--40**

**NAYS**

**Total--0**

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

**CARRIED OVER**

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

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

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

**READ THE SECOND TIME**

H. 4600 -- Reps. West and Bennett: A BILL TO AMEND SECTIONS 44-22-40 AND 44-22-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY CONSENT ON BEHALF OF CERTAIN PATIENTS TO ELECTRO-CONVULSIVE THERAPY OR MAJOR MEDICAL TREATMENT, SO AS TO CONFORM THE ORDER OF PRIORITY OF SUCH PERSONS TO THE ORDER OF PRIORITY IN THE ADULT HEALTH CARE CONSENT ACT.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

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 39; Nays 1**

**AYES**

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

**Total--39**

**NAYS**

Massey

**Total--1**

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of the Bill.

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The Committee on Medical Affairs proposed the following amendment (4837R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Section 40-37-320(B) of the 1976 Code is amended to read:

~~“(B)(1) Mobile units may be used; however, the optometrist shall obtain a registration either by a licensed optometrist, optometric practice, or organization using a licensed optometrist to operate the mobile optometric unit if the operator obtains a permit for the mobile unit from the board and complies with the other provisions of this subsection. A mobile unit must be limited to visiting and providing services:~~

~~(a) to licensed health care facilities within this State; or~~

~~(b) on the site of a Title I public school to the students attending the school, provided the services must be rendered as part of a not-for-profit program.~~

~~(2) In order to operate a mobile unit in this State, the operator shall submit a permit application and fee in the form and manner set forth by the board.~~

~~(3)(a) A mobile unit permit only may be issued following an inspection of the mobile unit by an authorized representative of the board. Upon the completion of a satisfactory inspection, the board shall issue the applicant a mobile unit permit. The applicant must affix the permit in a prominent and conspicuous place within the mobile unit.~~

~~(b) A mobile unit permit issued under this subsection annually must be renewed upon the payment of a renewal fee and satisfactorily undergoing an annual inspection.~~

~~(c) In addition to the annual inspection, a mobile unit authorized to operate under this subsection is subject to periodic unannounced inspections by an authorized representative of the board. If the mobile unit is a not-for-profit organization operating at a Title 1 school, the periodic unannounced inspection must be conducted after school hours.~~

~~(4)(a) The mobile unit shall maintain and furnish to the board both an official business address of record, which may not be a post office box, and an official telephone number of record. A mailing address, if different than the business address and used on an official basis, also must be provided to the board.~~

~~(b) The board must be notified within thirty days of any change in the address or telephone number of record.~~



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(c) All written or printed documents available from or issued by a mobile unit must contain an official address and telephone number of record for the mobile unit.

(d) All records must be maintained and available for inspection and copying upon request by the board, subject to HIPPA and FERPA privacy protections.

(5) The operator in charge of each mobile unit, in addition to the other requirements of this subsection, shall ensure that:

(a) all services provided in the mobile unit follow all statutes, regulations, and board policies that regulate the practice of optometry in this State;

(b) written procedures are implemented for emergency or follow-up care for patients treated in the mobile unit, including making prior arrangements, as may be appropriate, for emergency or follow-up treatment in an optometric unit located in the geographic area where services are being provided;

(c) the mobile unit complies with all applicable federal, state, and local laws, regulations, and ordinances dealing with flammability, construction, sanitation, zoning, infectious waste management, universal precautions, occupational safety, access by persons with disabilities, and federal Centers for Disease Control guidelines;

(d) the operator possesses all applicable county and city licenses or permits, including business licenses, to operate the unit at the location where services are being provided;

(e) the mobile unit is at all times fitted with working carbon monoxide detection devices;

(f) no services are performed on minors without consent of their parent or guardian; and

(g) during or at the conclusion of each patient's visit to the mobile unit, the patient is provided with an information sheet, and if the patient or their parent or guardian has provided consent to an institutional facility to assist in the patient's health records, the institutional facility is provided with a copy of the information sheet. An institutional facility includes, but is not limited to, a long-term care facility or school, and an information sheet must include the following:

(i) pertinent contact information as provided by this subsection;

(ii) the name of the optometrist, optician, and other staff who provided services and their license numbers, if applicable;

(iii) a description of the treatment rendered;

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(iv) a description of any optometric needs diagnosed during the optometrist's examination; and

(v) a recommendation that the patient see another optometrist if the mobile unit is unable to provide the follow-up treatment described in subsubitem (iv).

(6) A mobile unit that accepts a patient and provides preventive treatment, including a screening, eye examination, or prescription for corrective lenses, but does not follow-up with treatment or a referral for treatment when such treatment is clearly indicated, is considered to have abandoned the patient. Appropriate arrangements must be made for treatment services within the patient's geographic area on a follow-up basis. Reasonable attempts to have follow-up treatment when a patient does not reappear for treatment or does not meet a scheduled appointment is not considered abandonment.

(7) In addition to the other requirements of this subsection, every mobile unit must have:

(a) written procedures and necessary equipment to provide services provided to disabled persons; and

(b) access to an adequate supply of potable water, including hot water either at the mobile unit or available at locations served by the mobile unit;

(8)(a) All examinations conducted as part of the operation of a mobile unit must be performed by an optometrist who is licensed to practice optometry in this State. All glasses fitted and dispensed as part of the operation of a mobile unit must be fitted and dispensed by an optician licensed in this State.

(b) The operator of the mobile unit shall identify and advise the board in writing within thirty days of any personnel change relative to all licensed optometrists associated with the mobile unit by providing the full name, address, telephone numbers, and license numbers where applicable.

(c) The operator shall advise the board in writing within thirty days of any change in the written procedure for emergency follow-up care for patients treated in the mobile unit.

(d) An optometrist providing services in the mobile unit prominently shall display his license to practice in this State in plain view of patients.

(9)(a) An operator of a mobile unit shall maintain a confidential written or electronic record detailing each location where services are provided, including:

(i) the street address of the service location;

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(ii) the dates and times of each session; and

(iii) the number of patients served.

(b) All confidential written or electronic records required to be maintained by this chapter or applicable regulations shall be made available to the board within ten days of a request by the board, subject to HIPPA and FERPA privacy protections. Costs for such records must be covered by the mobile unit operator.

(10) Optometric services provided on a mobile unit must be in the charge of an optometrist licensed to practice optometry in this State at all times.

(11)(a) Upon cessation of operation by the mobile unit, the operator shall notify the board in writing within thirty days of the last day of operations of the final disposition of patient records and charts.

(b) Upon choosing to discontinue a practice or services in a community, the operator of a mobile unit shall:

(i) notify all of the operator's active patients in writing that the operator intends to discontinue the mobile unit's practice in the community;

(ii) encourage the patients to seek the services of another optometrist; and

(iii) make reasonable arrangements with all active patients for the transfer of the patient's records to the patient or a succeeding practitioner.

(c) As used in this subsection, 'active patient' refers to a person whom the mobile unit has examined, treated, cared for, or otherwise consulted with during the two-year period prior to discontinuation of practice, or moving from or leaving the community.

(12) The board shall adopt rules and regulations regarding the registration, administration, and operation of mobile units as may be necessary to carry out the provisions of this subsection, and may amend, modify, and repeal any rules and regulations from time to time. Failure to comply with any statutes, regulations, or board policies governing the practice of optometry and the operation of a mobile unit may subject the mobile unit and any optometrists providing services through the mobile unit to disciplinary action by the board, including suspension or revocation of the optometrist's license or revocation of the mobile unit permit. However, a licensed optometrist providing services through a mobile unit shall not be subject to disciplinary action on the sole basis that the licensed optometrist has prescribed eyeglasses without dilating the patient's eye where the following provisions are satisfied:

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(a) the operator of the mobile unit is a not-for-profit organization providing services at a Title 1 public school; and

(b) the optometrist practicing in the mobile unit shall:

(i) provide an appropriate eye examination prior to diagnosing, treating, and/or prescribing eyeglasses to the patient;

(ii) when providing an appropriate eye examination pursuant to this subsection that does not necessarily require dilation of the eye, employ technology sufficient to accurately study the health of the eye in order to prescribe eyeglasses to the patient, provided that the prescription for eyeglasses is not based solely on the refractive eye error of the human eye or is generated by a kiosk;

(iii) not prescribe eyeglasses to the patient and provide a referral to another licensed optometrist or ophthalmologist for follow-up care, if the eye examination reveals to the optometrist that a more comprehensive examination is necessary prior to prescribing eyeglasses. Any licensed optometrist performing a comprehensive eye examination of a patient referred under this subsection shall conduct a comprehensive eye exam, including dilation of the eyes; and

(iv) if a patient is referred to the optometrist or ophthalmologist with a prescription issued by another licensed optometrist or physician that has conducted a comprehensive eye examination of the patient, provide eyeglasses to the referred patient according to the prescription issued by the referring licensed optometrist or ophthalmologist.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS 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	Goldfinch	Grooms

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Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
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.

**CARRIED OVER**

S. 1290 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO SUITABILITY IN ANNUITY TRANSACTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5065, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**CARRIED OVER**

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

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REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

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

**AMENDED, READ THE SECOND TIME**

H. 4986 -- Rep. Ott: A BILL TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN proposed the following amendment (4986R001.GEC), which was adopted:

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

/ SECTION 1. Section 50-5-555 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) No trap may be in the waters of the General Trawling Zone as established by Section 50-5-705 when these waters are open to trawling for shrimp.”

SECTION 2. This act takes effect sixty days after signature by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

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

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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	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
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.

**COMMITTEE AMENDMENT ADOPTED  
OBJECTION**

S. 1128 -- Senators Shealy and McElveen: A BILL TO AMEND CHAPTER 5, TITLE 52 OF THE 1976 CODE, RELATING TO HORSE RACING, TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA, TO PROVIDE FOR PARI-MUTUEL WAGERING ON APPLICATIONS OPERATED BY A LICENSED ADVANCED DEPOSIT WAGERING ENTITY, TO ESTABLISH SOUTH CAROLINA EQUINE COMMISSION TO REGULATE THE INDUSTRY, TO PROVIDE FOR MEMBERSHIP ON THE COMMISSION, TO PROVIDE FOR THE POWERS,

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DUTIES, AND OBLIGATIONS OF THE COMMISSION, TO PROVIDE FOR LICENSE FEES, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (1128R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, on page 6, by striking line 7 and inserting:

/ licenses. The commission may issue additional ADW licenses to any applicant entity conducting live horse racing events in the state for the sole purpose of conducting wagering on such live South Carolina-based events through its own application. /

Re-number sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

Senator CAMPSSEN objected to further consideration of the Bill.

**Recorded Vote**

Senator TALLEY desired to be recorded as abstaining on the adoption of the committee amendment.

**CARRIED OVER**

S. 1297 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator M. JOHNSON, the Resolution was carried over.

**AMENDED, READ THE SECOND TIME**

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO



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TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS proposed the following amendment (3795R001.KMM.TD), which was adopted:

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

/SECTION 1. This act must be known and may be cited as the “Sign Language Interpreters Act”.

SECTION 2. Title 40 of the 1976 Code is amended by adding:

“CHAPTER 84

Sign Language Interpreters

Section 40-84-110. For the purposes of this chapter:

(1) ‘Agency’ means:

(a) the departments of state government enumerated in Section 1-30-10;

(b) the offices of all statewide constitutional officers;

(c) the Judicial Department;

(d) all public institutions of higher education;

(e) the Commission on Higher Education;

(f) police stations;

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(g) county and state detention centers and correctional facilities;  
and

(h) any other board, commission, or council created by a statute of this State; but

(i) excludes school districts, school boards, charter schools, and special schools.

(2) ‘Deaf person’ means a person who cannot use his hearing for communication purposes.

(3) ‘Interpreting’ is the act of conveying meaning between people who use signed and spoken languages, conveying all essential elements of meaning and intent and where such process is offered in exchange for remuneration.

(4) ‘Recognized certification’ means a certification in sign language interpretation as approved by the South Carolina Association of the Deaf, the South Carolina Registry of Interpreters for the Deaf, or the National Registry of Interpreters for the Deaf.

(5) ‘Sign Language’ or ‘American Sign Language’ or ‘ASL’ means a visual-gestural language that incorporates facial grammatical markers, physical affect markers, spatial linguistic information, and fingerspelling, as well as signs made with the hands. ASL is a distinct language with its own grammar and syntax that is neither based on nor derived from a spoken language.

(6) ‘South Carolina Association of the Deaf’ or ‘association’ or ‘SCAD’ means the state chapter of the National Association of the Deaf acting as a consumer advocacy organization serving the deaf and hard-of-hearing population of South Carolina, as incorporated at the time of enactment, or any successor organization of it.

(7) ‘South Carolina Registry of Interpreters for the Deaf’ or ‘SCRID’ means the state affiliate chapter of the Registry of Interpreters for the Deaf, serving as an interpreter-advocacy and professional organization, as incorporated at the time of enactment, or its successor organization.

Section 40-84-120. The requirements of this chapter apply to all:

(1) agencies as defined by Section 40-84-110(1); and

(2) hospitals and health care facilities regulated by the Department of Health and Environmental Control under Title 44.

Section 40-84-130. (A) A person only may provide interpreting services for an agency or hospital if he holds a recognized certification as defined in Section 40-84-110(4).

(B) The provisions in this section do not apply to a person who is interpreting:

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- (1) in an emergency situation where the parties determine that the delay to obtain a certified interpreter is likely to cause injury or loss; or
- (2) as part of a supervised internship or mentorship program if the individual is accompanied by an interpreter with recognized certification.

Section 40-84-140. To the extent that the provisions of this chapter conflict with other minimum competency standards for a sign language interpreter required for use by an entity identified in Section 40-84-120, the more rigorous standards must prevail.”

SECTION 3. Article 1, Chapter 33, Title 59 of the 1976 Code is amended by adding:

“Section 59-33-120. In consultation with relevant stakeholders, including, but not limited to, the South Carolina Association of the Deaf and the South Carolina Registry of Interpreters for the Deaf, the State Board of Education shall develop and promulgate regulations for the appropriate credentialing of sign language interpreters in the public and special schools of this State. Interpreters for the deaf working in schools and school districts in this State must be required to submit the same background checks as educators pursuant to Section 59-25-115.”

SECTION 5. This act takes effect on January 1, 2024. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER 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 39; Nays 1**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis

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Malloy	Martin	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Young

**Total--39**

**NAYS**

Massey

**Total--1**

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

**CARRIED OVER**

H. 4519 -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF "BEAUTY SALON", SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

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

**OBJECTION**

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.

Senator GUSTAFSON objected to consideration of the Bill.

**OBJECTION**

H. 5198 -- Reps. Lucas, G.M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND

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SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

Senator WILLIAMS objected to consideration of the Bill.

**ADOPTED**

H. 4755 -- Reps. B. Newton, McGarry and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 9 BYPASS AND GILLSBROOK ROAD IN THE CITY OF LANCASTER IN LANCASTER COUNTY "C.D. 'BUBBER' GREGORY, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 5008 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOLLOW CREEK ROAD IN AIKEN COUNTY FROM ITS INTERSECTION WITH CLINTON CHURCH ROAD TO THE AIKEN/ORANGEBURG COUNTY LINE "CHIEF GLENN POOLE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

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H. 5250 -- Reprs. Pendarvis, 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, 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 RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS® FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2022 AS “FAIR HOUSING MONTH” IN SOUTH CAROLINA.

The Resolution was adopted, ordered returned to the House.

S. 1038 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CHALK STREET AND POULTRY LANE IN RICHLAND COUNTY “DEACON DAVID SHIVER MEMORIAL INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator JACKSON explained the Resolution.

The Resolution was adopted, ordered sent to the House.

S. 1121 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG WATEREE ROAD IN FAIRFIELD COUNTY WHERE IT CROSSES THE WATEREE CREEK “JERRY NEALY

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BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator FANNING explained the Resolution.

The Resolution was adopted, ordered sent to the House.

S. 1243 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HAYNIE STREET IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 20 “REVEREND JESSE L. JACKSON, SR. STREET” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator ALLEN explained the Resolution.

The Resolution was adopted, ordered sent to the House.

S. 1257 -- Senator McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF GEORGE ROGERS BOULEVARD AND ANDREWS ROAD IN RICHLAND COUNTY “JOSEPH LEE JACKSON MEMORIAL INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator McELVEEN explained the Resolution.

The Resolution was adopted, ordered sent to the House.

S. 918 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 501 AND BROADWAY STREET IN Horry COUNTY “PATROL OFFICER HENRY

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SCARBOROUGH INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 919 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS OF HARRELSON BOULEVARD IN HORRY COUNTY “PATROLMAN JACOB HANCHER OVERPASS” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

**THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

At 3:55 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.**

**CONCURRENCE**

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE “MESSAGE THERAPY PRACTICE ACT”; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MESSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MESSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MESSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MESSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MESSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MESSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MESSAGE THERAPY, TO



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PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN

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APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

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	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb

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Senn  
Talley  
Young

Setzler  
Turner

Shealy  
Verdin

**Total--40**

**NAYS**

**Total--0**

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**NONCONCURRENCE**

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator KIMBRELL explained the amendments.

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

**Ayes 0; Nays 40**

**AYES**

**Total--0**

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**NAYS**

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

**Total--40**

On motion of Senator KIMBRELL, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**CARRIED OVER**

S. 910 -- Senator Grooms: A BILL TO AMEND SECTIONS 1, 2, AND 3 OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 408 OF 2012, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NON-PARTISAN ELECTIONS FROM SINGLE-MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT LARGE; TO STAGGER TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 296 OF 2012, RELATING TO APPORTIONING NINE SINGLE-MEMBER SCHOOL BOARD DISTRICTS IN THE COUNTY.

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

**CARRIED OVER**

S. 1059 -- Senator Verdin: A BILL TO AMEND SECTION 40-33-43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976,

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RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY.

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

**CONCURRENCE**

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.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator YOUNG explained the amendments.

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	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
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Talley	Turner	Verdin
Young		

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**Total--40**

**NAYS**

**Total--0**

On motion of Senator YOUNG, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**AMENDMENT PROPOSED, READ THE SECOND TIME**

H. 4608 -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS; TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SECONDARY AND POSTSECONDARY SCHOOL SPORTS TEAMS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES MAY BE OPEN TO FEMALE STUDENT PARTICIPANTS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES MAY NOT BE OPEN TO MALE PARTICIPANTS; TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS; AND TO PROVIDE REMEDIES TO STUDENTS AND SCHOOLS FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT.

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

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**Amendment No. 1**

Senator CASH proposed the following amendment (4608R002.SP.RJC):

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

/SECTION 1. This act must be known and may be cited as the “Save Women’s Sports Act”.

SECTION 2. (A) It is the intent of the General Assembly to maintain opportunities for female athletes to demonstrate their strength, skills, and athletic abilities, and to provide them with opportunities to obtain recognition and accolades, college scholarships, and numerous other long-term benefits that result from participating and competing in athletic endeavors.

(B) The General Assembly finds that:

(1) maintaining the fairness for women’s athletic opportunities is an important state interest; and

(2) requiring the designation of separate sex specific athletic teams or sports is necessary to maintain fairness for women’s athletic opportunities.

SECTION 3. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59-1-500. (A) For purposes of this section, a statement of a student’s biological sex on the student’s official birth certificate is considered to have correctly stated the student’s biological sex at birth if the statement was filed at or near the time of the student’s birth.

(B)(1) Interscholastic, intercollegiate, intramural, or club athletic teams or sports that are sponsored by a public elementary or secondary school or public postsecondary institution must be expressly designated as one of the following based on the biological sex at birth of team members:

(a) males, men, or boys;

(b) females, women, or girls; or

(c) coed or mixed, including both males and females.

(2) Athletic teams or sports designated for males, men, or boys shall not be open to students of the female sex, unless no team designated for females in that sport is offered.

(3) Athletic teams or sports designated for females, women, or girls shall not be open to students of the male sex.

(4) A private school or a private institution sponsoring an athletic team or sport in which its students or teams compete against a public

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school or institution must also comply with this section for the applicable team or sport.

(C)(1) A student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of this section may initiate a cause of action against the school or postsecondary institution as provided in subsection (C)(4).

(2) A student who is subject to retaliation or other adverse action by a school, postsecondary institution, or athletic association or organization as a result of reporting a violation of this section to an employee or representative of the school, institution, or athletic association or organization, or to any state or federal agency with oversight of schools or postsecondary institutions in this State, may initiate a cause of action against the school, postsecondary institution, or athletic association or organization as provided in subsection (C)(4).

(3) A school or postsecondary institution that suffers any direct or indirect harm as a result of a violation of this section may initiate a cause of action against the governmental entity, licensing or accrediting organization or athletic association or organization as provided in subsection (C)(4).

(4) An action arising under this section must be commenced within two years after the alleged injury and subject to the South Carolina Tort Claims Act, as provided in Section 15-78-10, et seq.”

SECTION 3. Article 1, Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Section 59-63-72. A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules or policies of the association, body, or entity recognizes, sanctions, and regulates interscholastic competition of wrestling teams composed exclusively of female students.”

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.



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SECTION 5. This act takes effect upon approval by the Governor. /  
Re-number sections to conform.  
Amend title to conform.

Senator CASH explained the amendment.  
Senator MALLOY spoke on the Bill.

**Objection**

Senator MALLOY asked unanimous consent to make a motion 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 MASSEY objected.

Senator HUTTO spoke on the Bill.

**RECESS**

At 5:20 P.M., on motion of Senator HUTTO, the Senate recessed from business until 5:25 P.M.

At 5:22 P.M., the Senate resumed.

Senator HUTTO spoke on the Bill.

**Motion Adopted**

Senator MASSEY asked unanimous consent, with Senator HUTTO retaining the floor, to make a motion 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.

There was no objection.

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

**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

**Motion Adopted**

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

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**ADJOURNMENT**

At 5:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

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