

NO. 69

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

TUESDAY, MAY 10, 2022

Tuesday, May 10, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

Jeremiah 3:15

Calling upon his people to repent, the Lord says to them: "I will give you shepherds after my own heart, who will feed you with knowledge and understanding."

Bow with me, if you will: O loving Lord, it is indeed a great burden to demonstrate love and concern and to really mean it. It is quite a responsibility, but the citizens of South Carolina truly deserve nothing less. That is why, dear God, we are so very thankful for each one of these Senators who are determined to act as "shepherds." Through the thoughtful decisions they and their aides make here in this Senate and the active caring they show back in their home districts, these leaders make it crystal clear that they accept Your call to act as shepherds. And in that role they not only accomplish great good for our people, dear Lord, but they also show how faithfully they strive to answer Your call, for which we give heartfelt thanksgiving. In Your loving name we pray, Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Cromer	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	McElveen
Peeler	Reichenbach	Rice

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Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Bamberg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Richard Craig Threatt, 79 Meadow Lane, Bamberg, SC 29003-2423

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Robin Locklear, 431 North Brooks Street, Manning, SC 29102-3325

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Sophia T. Henderson, 1145 Oakman Branch Road, Walterboro, SC 29488-7877

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles D. Spivey, P. O. Box 1204, Dillon, SC 29536-1204

Reappointment, Edgefield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joseph V. Mosley, 1445 Bettis Academy Road, Trenton, SC 29847-2603

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kimberly B. Cox, 215 West Coleman Avenue, Pamplico, SC 29583-3759

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

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Tommy G. Mourounas, 5719 East Old Marion Hwy., Florence, SC
29506-9311

Reappointment, Florence County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Frank White, 3118 Devon Road, Florence, SC 29505-7304

Reappointment, Greenville County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Jonathan D. Anders, 107 South Pliney Circle, Simpsonville, SC
29681-2330

Initial Appointment, Greenville County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Scott Bingel, 9 Melvin Circle, Taylors, SC 29687-2437

Reappointment, Greenville County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Mark Edmonds, 131 Montis Drive, Greenville, SC 29617-8101

Reappointment, Greenville County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Darrell Fisher, 112 Hedge Rose Court, Travelers Rest, SC 29690-7001

Reappointment, Greenville County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Dean E. Ford, 205 North Maple St., Simpsonville, SC 29681-2312

Reappointment, Greenville County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Leila Foster, 21 Susan Dr., Piedmont, SC 29673-7002

Reappointment, Greenville County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Vilvin Garrison, 551 Waterbrook Drive, Greenville, SC 29607-4878

Reappointment, Greenville County Magistrate, with the term to
commence April 30, 2022, and to expire April 30, 2026

Jonathan A. Horne, 50 Tindal Rd., Greenville, SC 29617-7631

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Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Matthew B. Hubbard, 9 Montford Court, Travelers Rest, SC 29690-2262

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

James E. Hudson, 6 Highview Dr., Greenville, SC 29609-3261

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Letonya T. Simmons, 202 Twilight Place, Simpsonville, SC 29681

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kenneth Southerlin, 905 East Silverleaf, Greer, SC 29650

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Bradley Stepp, 1 Chasta Avenue, Greenville, SC 29615-1109

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Clare Thompson, 103 Beechwood Court, Mauldin, SC 29662-1601

Reappointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Tonja Alexander, P.O. Box 837, Varnville, SC 29944-0837

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Catherine D. Baggett, P. O. Box 2020, Ridgeland, SC 29936-2635

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Fredrick Thomas, P. O. Box 3222, Lancaster, SC 29721-3222

Reappointment, McCormick County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

John Long, 132 Antioch Dr., McCormick, SC 29835-4235

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Reappointment, McCormick County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Patty Smith, 3145 Upper Mill Road, McCormick, SC 29835-7243

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christina Thompson, 700 Woodrow Street, Columbia, SC 29205-1757
VICE Eleanor Duffy Cleary

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

William Robin Freeman, 3690 Hollywood Rd., Chappells, SC 29037-9436

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joyce B. Shults, 1437 Old Chappells Ferry Rd., Saluda, SC 29138-8036

Reappointment, Sumter County Master-in-Equity, with the term to commence December 31, 2022, and to expire December 31, 2028

Michael M. Jordon, 10 Law Range, Sumter, SC 29150

Appointment, Union County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2023

David Kevin Morrow, 134 Chapel Rd., Union, SC 29379-8080

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

William Driggers, 209 Short Street, Kingstree, SC 29556-3926

Initial Appointment, York County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Walton Beck, 782 Ottawa Drive, Rock Hill, SC 29732-9273

Doctor of the Day

Senator McELVEEN introduced Dr. Chris Yeakel of Columbia, S.C., Doctor of the Day.

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Leave of Absence

On motion of Senator STEPHENS, at 12:21 P.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator GAMBRELL, at 2:57 P.M., Senator GOLDFINCH was granted a leave of absence until 4:00 P.M.

Leave of Absence

On motion of Senator DAVIS, at 4:54 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Leave of Absence

At 6:43 P.M., Senator GROOMS requested a leave of absence for Thursday, May 12, 2022.

RECALLED

H. 4757 -- Reps. McGarry, B. Newton, Yow and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 521 FROM ANDREW JACKSON HIGH SCHOOL IN LANCASTER COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 "REPRESENTATIVE JIMMY NEAL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS 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.

RECALLED

H. 5069 -- Reps. Yow, Henegan and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHERAW IN CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH TOWN AND COUNTRY ROAD TO ITS INTERSECTION WITH WINDSOR DRIVE "DR. JOSEPH KERSHAW NEWSOM

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MEMORIAL HIGHWAY” AND ERECT 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.

RECALLED

H. 5082 -- Rep. Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE AT THE INTERSECTION OF UNITED STATES HIGHWAY 1 AND YOUNG’S BRIDGE ROAD IN KERSHAW COUNTY “JUDGE THOMAS E. ‘TED’ DAVIS BRIDGE” AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION 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.

RECALLED

H. 5212 -- Reps. Lucas and R. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA FERRY ROAD IN DARLINGTON COUNTY FROM WILSON CLINIC TO ITS INTERSECTION WITH COGGESHALL ROAD “JAMES ‘JIMMY’ MCKELVEY MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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.

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RECALLED

H. 4384 -- Reps. Hosey, Rivers, S. Williams, Clyburn and J. Moore:
A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN THE TOWN OF FAIRFAX IN ALLENDALE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 278 TO ITS INTERSECTION WITH SEVENTEENTH STREET "M.F. 'SONNY' RILEY, JR. HIGHWAY" AND ERECT 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.

RECALLED

H. 5338 -- Regulations and Administrative Procedures 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.

Senator M. JOHNSON asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Judiciary.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1319 -- Senator Alexander: A SENATE RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL PRESIDENT DOUGLAS X. ALEXANDER TO THE PALMETTO STATE ON THE OCCASION OF THE 100TH ANNIVERSARY OF THE SPARTANBURG LIONS CLUB AND TO HONOR THE

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SPARTANBURG LIONS CLUB FOR A CENTURY OF
COMMUNITY SERVICE.

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The Senate Resolution was adopted.

S. 1320 -- Senator McLeod: A SENATE RESOLUTION TO
ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING
BENEFITS AND VALUE OF MEDITATION, INTEGRATIVE
OCCUPATIONAL THERAPY, AND SELF-CARE AND TO
DECLARE MAY 10, 2022, AS "PEACE, HARMONY, WELLNESS,
AND OCCUPATIONAL THERAPY DAY" IN SOUTH CAROLINA.

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The Senate Resolution was introduced and referred to the Committee
on Medical Affairs.

S. 1321 -- Senator Fanning: A SENATE RESOLUTION TO
CONGRATULATE AND HONOR DR. IVA B. HUGHES OF ROCK
HILL FOR HER MANY ACCOMPLISHMENTS AND WISH HER
CONTINUED SUCCESS, HEALTH, AND HAPPINESS FOR MANY
YEARS TO COME.

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The Senate Resolution was adopted.

S. 1322 -- Senator McLeod: A SENATE RESOLUTION TO
RECOGNIZE AND CORDIALLY WELCOME TO THE SOUTH
CAROLINA STATE HOUSE THE HONORABLE ELIZABETH
SACKEY, MADAM MAYOR OF ACCRA, GHANA.

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The Senate Resolution was adopted.

S. 1323 -- Senator Jackson: A SENATE RESOLUTION TO
EXPRESS THE PROFOUND SORROW OF THE SOUTH
CAROLINA SENATE UPON THE PASSING OF THE HONORABLE
THOMAS "TOM" DELANO BROADWATER, SR., OF COLUMBIA,
TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO
EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND
MANY FRIENDS.

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The Senate Resolution was adopted.

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S. 1324 -- Senator Bennett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JOSEPH R. "JOE" PYE, SUPERINTENDENT OF DORCHESTER SCHOOL DISTRICT TWO, UPON THE OCCASION OF HIS RETIREMENT AFTER A DISTINGUISHED CAREER OF MORE THAN FIFTY-TWO YEARS IN THE FIELD OF EDUCATION AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

ADOPTED

S. 1325 -- Senators Alexander and Malloy: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 12, 2022, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON WEDNESDAY, JUNE 15, 2022, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON FRIDAY, JUNE 17, 2022, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE 28, 2022, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, JUNE 30, 2022, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON THURSDAY, JUNE 30, 2022, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN TUESDAY, SUNDAY, NOVEMBER 13, 2022, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

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Amendment No. 1

Senator HUTTO proposed the following amendment (1325R001.SP.CBH), which was tabled:

Amend the concurrent resolution, as and if amended, by adding appropriately numbered new items to Sections (B), (C), and (D) to read:

/ () consideration of House bill 3620. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator JACKSON spoke on the amendment.

Senator SABB spoke on the amendment.

Remarks to be Printed

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

Senator K. JOHNSON spoke on the amendment.

Senator McLEOD spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 25; Nays 20

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Senn
Talley	Turner	Verdin
Young		

Total--25

NAYS

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Allen	Davis	Fanning
Grooms	Gustafson	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Malloy	Matthews	McElveen
McLeod	Rankin	Sabb
Scott	Setzler	Shealy
Stephens	Williams	

Total--20

The amendment was laid on the table.

Amendment No. 2

Senator CASH proposed the following amendment (1325R002.SP.RJC), which was tabled:

Amend the concurrent resolution, as and if amended, by adding appropriately numbered new items to Sections (B) and (C) to read:

/ () consideration of S. 1127. /

Re-number sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Remarks to be Printed

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

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

The question then was the adoption of the Resolution.

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

Ayes 36; Nays 8

AYES

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Gambrell

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

Total--36

NAYS

Cash	Fanning	Hutto
Jackson	Matthews	McLeod
Sabb	Scott	

Total--8

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

S. 1326 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. STEPHEN CUTLER FOR HIS OUTSTANDING SERVICE TO THE UNIVERSITY OF SOUTH CAROLINA AND THE STATE OF SOUTH CAROLINA AS INTERIM PROVOST FOR THE UNIVERSITY.

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The Senate Resolution was adopted.

S. 1327 -- Senators Grooms, Gambrell, Kimbrell, Climer, Loftis and Adams: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROHIBIT THE PERFORMANCE OR INDUCTION OF ABORTIONS IN THIS STATE, TO PROVIDE LIMITED EXCEPTIONS, TO CLARIFY THAT CONTRACEPTIVES ARE NOT PROHIBITED, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 40-47-110, RELATING TO MISCONDUCT BY PHYSICIANS, TO PROVIDE THAT ABORTIONS PERFORMED OR INDUCED IN VIOLATION OF THE PROHIBITION ON ABORTIONS CONSTITUTES MISCONDUCT SUBJECT TO DISCIPLINE BY THE BOARD OF MEDICAL EXAMINERS, TO

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PROVIDE THAT A PHYSICIAN DETERMINED TO HAVE PERFORMED OR INDUCED AN ABORTION IN VIOLATION OF THE PROHIBITION MUST HAVE HIS LICENSE REVOKED, AND TO PROVIDE THAT A PHYSICIAN WHOSE LICENSE HAS BEEN REVOKED FOR PERFORMING A PROHIBITED ABORTION MAY NEVER AGAIN BE LICENSED TO PRACTICE MEDICINE IN SOUTH CAROLINA; AND TO AMEND SECTION 40-47-110, RELATED TO THE UNLICENSED PRACTICE OF MEDICINE, TO PROVIDE A PENALTY FOR A NON-PHYSICIAN WHO PERFORMS OR INDUCES AN ABORTION.

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

H. 5155 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoun, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2022 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

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

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H. 5157 -- Reps. Lucas, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE TOMMY PRESTON, JR., ON HIS APPOINTMENT AS VICE PRESIDENT FOR ETHICS AT THE BOEING COMPANY AND TO RECOGNIZE AND HONOR HIS CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.

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

H. 5252 -- Reps. Sandifer and G. M. Smith: A JOINT RESOLUTION TO ENCOURAGE ECONOMIC GROWTH IN SOUTH CAROLINA THROUGH THE ESTABLISHMENT OF COMPETITIVE ELECTRIC RATES, TERMS, AND CONDITIONS FOR CERTAIN QUALIFYING COMMERCIAL AND INDUSTRIAL CUSTOMERS SEEKING TO LOCATE IN SOUTH CAROLINA; TO ENABLE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA TO CONSIDER QUANTIFIABLE NET BENEFITS TO UTILITY CUSTOMERS DUE TO ECONOMIC DEVELOPMENT WHEN SETTING JUST AND REASONABLE RATES; AND TO PROVIDE AN EXPEDITIOUS PROCESS FOR AN ELECTRICAL UTILITY TO OFFER PRICING TO THE SOUTH CAROLINA DEPARTMENT OF COMMERCE FOR POTENTIAL ECONOMIC DEVELOPMENT PROSPECTS.

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

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AMENDED

H. 5288 -- Reps. Weeks and G. M. Smith: A BILL TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.

The Senate proceeded to a consideration of the Bill.

Senator McELVEEN proposed the following amendment (ZW\5288C001.AR.ZW22), which was adopted:

Amend the bill, as and if amended, SECTION 1, Pages 3-4, by striking subsection 2(A)(3) and inserting:

/ (3) The members of the Sumter School District Board of Trustees must be elected for four-year terms and until their successors are elected and qualify, except that of the nine board members elected in the 2022 school district elections, the five members who receive the five highest vote totals shall serve full four-year terms and until their successors are elected in the 2026 school district elections and qualify, and the four members who receive the four lowest vote totals shall serve initial two-year terms to expire in November 2024, when their successors elected at the 2024 school district elections qualify and take office for full four-year terms. In the event of a vacancy on the Sumter School District Board of Trustees occurring for a reason other than expiration of a term, the board shall call a special election to fill the unexpired term, so long as the vacancy does not occur within one hundred eighty days of a general election at which school district elections are to be conducted. In this case, the vacancy must be filled for the unexpired term through appointment by the Governor. /

Amend the bill further, as and if amended, SECTION 1, pages 4-5, by striking subsection 2(A)(5) and inserting:

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/ (5) The Sumter County Board of Voter Registration and Elections shall conduct and supervise the elections for members of the Sumter School District Board of Trustees in the manner governed by the election laws of this State, mutatis mutandis. The county elections board shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The county elections board shall publish notices of the elections pursuant to Section 7-13-35. The results of the school district elections must be determined by the nonpartisan election and runoff election method pursuant to Section 5-15-62. In order to ensure the continuity of experience on the Sumter School District Board of Trustees following the 2022 school district elections, the nine board members elected in the 2022 school district elections shall take office after December 31, 2022; however, beginning with the 2024 school district elections, the members of the Sumter School District Board of Trustees shall take office one week following certification of their election pursuant to Section 59-19-315. /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN spoke on the amendment.

The amendment was adopted.

Senator McELVEEN asked unanimous consent to adopt the amendment, give the Bill a second reading Wednesday, May 11, 2022, and a third reading Thursday, May 12, 2022.

There was no objection.

H. 5337 -- Regulations and Administrative Procedures 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.

Read the first time and, on motion of Senator GROOMS, with unanimous consent, H. 5337 was ordered placed on the Calendar without reference.

H. 5338 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF

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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.

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

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

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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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

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

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

S. 108 -- Senators Campsen and Senn: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

S. 449 -- Senator Young: A BILL TO AMEND SECTION 2 OF ACT 926 OF 1962, RELATING TO THE MEMBERSHIP OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL EDUCATION, TO ADD TWO NONVOTING MEMBERS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE

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DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION

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40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A

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SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

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

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CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

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

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1316 -- Senator Gambrell: A CONCURRENT RESOLUTION TO CONGRATULATE THE DAUGHTERS OF THE AMERICAN REVOLUTION, MT. ARIEL CHAPTER, AT THE DEDICATION OF ITS AMERICA 250 PATRIOTS MARKER AND TO SALUTE THE DAR CHAPTER ON ITS NEW PROGRAM TO COMMEMORATE AMERICAN REVOLUTIONARY WAR PATRIOTS IN CONJUNCTION WITH OUR NATION'S TWO HUNDRED FIFTIETH ANNIVERSARY CELEBRATION IN 2026.

Returned with concurrence.

Received as information.

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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

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

Senator GROOMS spoke on the Bill.

Senator GROOMS asked unanimous consent to proceed to Amendment No. 7.

There was no objection.

Amendment No. 7

Senators GROOMS, HUTTO and MALLOY proposed the following amendment (4776R003.SP.LKG), which was adopted:

Amend the bill, as and if amended, on page 7, line 32 by adding:

/ Section 44-139-90. The contract, policy, or other documentation executed between a health care payer and a person that requires the health care payer to pay for or arranges for the payment of any health

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care services provided to the person must contain a statement in bold type face providing the person with notice that some health care services may not be provided by the health care payer because the provision of those services violates the health care payer's conscience as defined in Section 44-139-20(1). The notice must further provide that a list of the health care services that the health care payer will not pay for or arrange payment for may be found on the health care payer's website or otherwise be made available to the person upon request. /

Amend the bill further, as and if amended, on page 7, on line 13 by adding an appropriately lettered new subsection to read:

/ (C) If the State Human Affairs Commission does not remedy a complaint, then a health care practitioner, health care institution, or health care payer may file suit for injunctive relief, damages, and reasonable attorney's fees in a court of competent jurisdiction. If the notice provisions of Section 44-139-90 are violated, then the patient may file suit for injunctive relief, damages, and reasonable attorney's fees in a court of competent jurisdiction. /

Amend the bill further, as and if amended, on page 5, by striking line 28 and inserting:

/ chapter may, at his sole discretion and if requested by the patient or legal representative of the patient: /

Re-number sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Amendment No. 9A

Senator MALLOY proposed the following amendment (4776GM1FIN), which was adopted:

Amend the bill, as and if amended, page 5, line 35 by adding an appropriately numbered subitem at the end of Section 44-139-30 to read:

/ () No provision of this chapter shall be construed as to limit an employer's or contractee's authority to make employment, staffing, contracting, disciplinary, credentialing, privileging, or other related decisions. Nothing in this chapter shall be construed to violate any part of Chapter 7 of Title 41. /

Re-number sections to conform.

Amend title to conform.

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Senator MALLOY explained the amendment.

The amendment was adopted.

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

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

Ayes 28; Nays 15; Abstain 1

AYES

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

Total--28

NAYS

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

Total--15

ABSTAIN

Gustafson

Total--1

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

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5339 -- Reps. Lowe, R. Williams, Jordan, Kirby and Alexander: A BILL TO PROVIDE, AMONG OTHER THINGS, THAT PURSUANT TO THE STATE SUPERINTENDENT OF EDUCATION'S EMERGENCY DECLARATION AND MANDATORY CONSOLIDATION OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR, THE RESULTING CONSOLIDATED SCHOOL DISTRICT MUST BE KNOWN AS FLORENCE COUNTY SCHOOL DISTRICT ONE; TO PROVIDE THAT BEGINNING JULY 1, 2022, FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE GOVERNED INITIALLY BY A NINE-MEMBER BOARD OF TRUSTEES TO BE APPOINTED BY A MAJORITY OF THE FLORENCE COUNTY LEGISLATIVE DELEGATION; TO ESTABLISH AND REAPPORTION NINE SINGLE-MEMBER ELECTION DISTRICTS FROM THE COMBINED GEOGRAPHIC AREA OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR FROM WHICH, BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, THE GOVERNING BODY OF FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE ELECTED; TO PROVIDE THAT THE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT ONE BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER AS NECESSARY TO STAGGER THE MEMBERS' TERMS; TO PROVIDE FOR A FLORENCE COUNTY SCHOOL DISTRICT ONE MAP THAT DELINEATES THE NINE SINGLE-MEMBER ELECTION DISTRICTS; AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE NINE SINGLE-MEMBER ELECTION DISTRICTS.

On motion of Senator REICHENBACH.

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

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

AMENDED, 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.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (3037R003.KMM.TC), which was adopted:

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

/ SECTION 1. Section 56-1-80(A) of the 1976 Code is amended to read:

“Section 56-1-80. (A) An application for a driver’s license or permit must:

- (1) be made upon the form furnished by the department;
- (2) be accompanied by the proper fee and acceptable proof of date and place of birth;
- (3) contain the full name, date of birth, sex, race, and residence address of the applicant and briefly describe the applicant;
- (4) state whether the applicant has been licensed as an operator or chauffeur and, if so, when and by what state or country;

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(5) state whether a license or permit has been suspended or revoked or whether an application has been refused and, if so, the date of and reason for the suspension, revocation, or refusal;

(6) allow an applicant voluntarily to disclose a permanent medical condition, provided that the disclosure is made on a form prescribed by the department and includes a certification from a physician licensed in this State, as defined in Chapter 47, Title 40 that affirms the existence of the medical condition. ~~which~~ The medical condition must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The motor vehicle record of a driver may not contain more than three permanent medical conditions unless subitem (A)(8) applies;

(7) allow an applicant voluntarily to disclose that he is an organ and tissue donor, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record; ~~and~~

(8) allow an applicant voluntarily to disclose that he is autistic, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The applicant must provide documentation that he is autistic from a physician licensed in this State, as defined in Section 40-47-20(35); ~~and~~

(9) include a statement that certain driver's license and driver's record information may be released, upon request, pursuant to subsection (B).

(B)(1) The information contained on a driver's license and in the driver's department records pertaining to a person's permanent medical condition, as provided for in item (A)(6) or item (A)(8), must be made available, upon request, only to:

(a) ~~to~~ law enforcement, ~~and~~ emergency medical services, and hospital personnel;

(b) the medical advisory board pursuant to Section 56-1-221;

(c) permitted entities pursuant to the Driver Privacy Protection Act, 18 U.S.C.A. 2721; and

(d) the person to whom the records of the permanent medical condition applies.

(2) The information contained on a driver's license and in the driver's department ~~and the information and~~ records pertaining to a person's organ and tissue donor status, as provided for in item (A)(7), must be made available, upon request, only to:

(a) ~~to~~ law enforcement, emergency medical services and hospital personnel; and

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(b) the South Carolina Donor Referral Network, as provided for in Section 44-43-910.

(3) The information contained on a driver's license and in the driver's department records pertaining to a person's permanent medical condition, as provided for in item (A)(6) or item (A)(8), and pertaining to a person's organ and tissue donor status, as provided for in item (A)(7), may not be sold and is exempt from disclosure pursuant to Chapter 4, Title 30, the South Carolina Freedom of Information Act."

SECTION 2. A. Section 56-1-3350(A) of the 1976 Code is amended to read:

"Section 56-1-3350. (A) Upon application by a person five years of age or older, who is a resident of South Carolina, the department shall issue a special identification card ~~as long as provided that the:~~

(1) application is made on a form approved and furnished by the department;

(2) applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth; ~~and~~

(3) applicant, who wishes to obtain a special identification card that indicates the applicant is autistic, complies with subsections (A)(1) and (2) and provides documentation that he is autistic from a physician licensed in this State, as defined in ~~Section 40-47-20(35)~~ Chapter 47, Title 40. The special identification requested must be indicated by a symbol designated by the department on the person's special identification card; ~~and~~

(4) applicant, who wishes to obtain a special identification card that indicates the applicant has voluntarily disclosed a permanent medical condition, complies with subsection (A)(1) and (2), and provides documentation of the medical condition from a physician licensed in this State, as defined in Chapter 47, Title 40. The record of an identification card holder may not contain more than three permanent medical conditions unless subitem (A)(3) applies. The information contained on a special identification card and in the special identification card holder's department records pertaining to his autism, as provided for in item (3), or his permanent medical condition, as provided for in this item, may not be sold, is exempt from disclosure pursuant to Chapter 4, Title 30, the South Carolina Freedom of Information Act, and may be released upon request only to:

(a) law enforcement, emergency medical services, and hospital personnel;

(b) the medical advisory board pursuant to Section 56-1-221;

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(c) permitted entities pursuant to the Driver Privacy Protection Act, 18 U.S.C.A. 2721; and

(d) the person to whom the records of the permanent medical condition applies.”

SECTION 3. (A) SECTION 1 takes effect July 1, 2022.

(B) SECTION 2 takes effect one year after the approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senator YOUNG proposed the following amendment (WAB\3037C002.RT.WAB22), which was ruled out of order:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION __. Section 56-1-80(A) of the 1976 Code is amended by adding an appropriately numbered item to read:

“() include an advisory statement that distracted driving, including driving while holding a mobile electronic device, may be dangerous to the safety of the vehicle operator and/or others in the traveling public.”

SECTION __. A. Section 56-5-3890 of the 1976 Code is amended to read:

“Section 56-5-3890. (A) For purposes of this section:

~~(1) ‘Hands free wireless electronic communication device’ means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person without holding the device in either hand by utilizing an internal feature or function of the device, an attachment, or an additional device. A hands free wireless electronic communication device may require the use of either hand to activate or deactivate an internal feature or function of the device.~~
‘Mobile electronic device’ means a cellular telephone, portable computer, GPS receiver, electronic game, or any substantially similar stand-alone electronic device used to communicate, display, or record digital content. ‘Mobile electronic device’ does not include a citizens band radio, amateur radio, ham radio, commercial two way radio or its functional equivalent, subscription-based emergency communication device, or prescribed medical device.

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~~(2) 'Text based communication' means a communication using text based information, including, but not limited to, a text message, an SMS message, an instant message, or an electronic mail message.~~

~~(3) 'Wireless electronic communication device' means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person.~~

~~(B) It is unlawful for a person to use a wireless electronic communication device to compose, send, or read a text based communication while operating a motor vehicle on the public streets and highways of this State. While operating a motor vehicle on any public highway of this State, a person shall not:~~

~~(1) hold or support, with any part of the body, a mobile electronic device. This provision does not prohibit the use of an earpiece or device worn on a wrist to conduct voice-based communication;~~

~~(2) read, compose, or transmit any text including, but not limited to, a text message, email, application interaction, or website information on a mobile electronic device;~~

~~(3) watch motion including, but not limited to, a video, movie, game, or video call on a mobile electronic device.~~

~~(C) This section does not apply to a ~~person~~ motor vehicle operator who is:~~

~~(1) lawfully parked or stopped;~~

~~(2) using a hands free wireless electronic communication device initiating a voice-based communication that is automatically converted by the device and sent as text, provided that the device is not held by the operator or supported with any part of the body by the operator;~~

~~(3) summoning emergency assistance reporting an accident, emergency, or safety hazard to a public safety official;~~

~~(4) transmitting or receiving data as part of a digital dispatch system while performing occupational duties;~~

~~(5) a public safety official while in the performance of the person's a first responder while performing official duties; or~~

~~(6) using a global positioning system device or an internal global positioning system feature or function of a wireless electronic communication mobile electronic device for the purpose of:~~

~~(a) navigation, listening to audio-based content, or obtaining related traffic and road condition information in a manner that does not require the operator to type, provided that the device is not held by the operator or supported with any part of the body by the operator;~~

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(b) using a mobile electronic device to initiate or end a cellular call in a manner that does not require the operator to type, provided that the device is not held by the operator or supported with any part of the body by the operator; or

(c) unlocking the device for a purpose listed in subitems (a) or (b), provided that the device is not held by the operator or supported with any part of the body by the operator; or

(7) using equipment or services installed by the original manufacturer of the vehicle.

(D)(1) A person who is adjudicated to be in violation of ~~the provisions of this section is guilty of distracted driving and, upon conviction:~~

(a) for a first offense, must be fined not more than twenty-five one hundred dollars, no part of which may be suspended; and

(b) for a second or subsequent offense, must be fined four hundred dollars, no part of which may be suspended.

(2) Only those offenses which occurred within three years, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this subsection. No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A person must not be fined more than fifty dollars for any one incident of one or more violations of the provisions of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Notwithstanding Section 56-1-640, a violation of this section must not be:

(a) included in the offender's motor vehicle records maintained by the Department of Motor Vehicles or in the criminal records maintained by SLED; or

(b) reported to the offender's motor vehicle insurer.

(2)(3) During the first one hundred eighty days after this section's effective date, law enforcement officers shall issue only warnings for violations of this section. The Department of Public Safety must receive twenty-five percent of the fines imposed for violations of this section. Funds provided to the department pursuant to this section must be used to educate the public on the dangers of distracted driving and the provisions of this act.

(E) A law enforcement officer shall not:

(1) stop a person for a violation of this section except when the officer has ~~probable cause~~ reasonable suspicion that a violation has occurred ~~based on the officer's clear and unobstructed view of a person~~

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~~who is using a wireless electronic communication device to compose, send, or read a text based communication while operating a motor vehicle on the public streets and highways of this State;~~

(2) ~~seize, search, view, or require the forfeiture of a wireless electronic communication~~ mobile electronic device because of a violation of this section;

(3) ~~search or request to search a motor vehicle, driver operator, or passenger in a motor vehicle, solely because of a violation of this section;~~
or

(4) ~~make a custodial arrest for~~ solely because of a violation of this section, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine.

(F) The Department of Motor Vehicles shall maintain and provide citation information pursuant to this section to the Department of Public Safety. The Department of Public Safety shall maintain statistical information regarding citations issued pursuant to this section.

(G) This section preempts ~~local~~ ordinances, regulations, and resolutions adopted by ~~municipalities, counties, and other local governmental entities~~ political subdivisions regarding persons using ~~wireless mobile electronic communication~~ wireless mobile electronic devices while operating motor vehicles on the public ~~streets and~~ highways of this State.

(H) The provisions of this section are not subject to the provisions contained in Section 17-13-10 and Section 17-13-20, both of which are related to what is commonly referred to as ‘citizens’ arrest.’

B. At every interstate highway ingress, the Department of Transportation shall erect a sign advising motorists of this act.

C. During the first ninety days after the effective date of this act, law enforcement officers shall only issue warnings for violations of Section 56-5-3890, as amended by this act.

D. At the end of each fiscal year, the Department of Public Safety shall report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Transportation Committee, and the Chairman of the House Education and Public Works Committee the age, gender, and race of every driver issued a citation, as well as every instance that a citation is not issued following a traffic stop made pursuant to this act. The data must be reported at least by statewide totals for local law enforcement agencies, state law enforcement agencies, and state university law enforcement agencies. The statewide total for local law enforcement agencies shall combine the data collected by county and the municipal law enforcement agencies. /

Renumber sections to conform.

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Amend title to conform.

Senator YOUNG explained 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 YOUNG spoke on the Point of Order.

Senator MALLOY spoke on the Point of Order.

Senator GROOMS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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

HOUSE BILL RETURNED

The following Bills were read the third time and ordered returned to the House with amendments.

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.

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 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

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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.

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.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 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

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ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY

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NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4832 -- Reps. Sandifer and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE

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FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

H. 4983 -- Rep. Sandifer: A BILL TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE

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REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.

CARRIED OVER

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 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

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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.

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

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

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.

AMENDED, READ THE SECOND TIME

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams, Gustafson, Verdin, Cromer and Martin: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (614R001.KMM.TDC), which was adopted:

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

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/SECTION 1. This act shall be referred to and cited as the “Second Amendment Protection Act”.

SECTION 2. The General Assembly finds that this act ensures that the South Carolina unorganized militia is “a well regulated militia” pursuant to Section 20, Article I of the South Carolina Constitution and the United States Constitution and further ensures that the unorganized militia is imbued with the rights and privileges guaranteed to the militia and its members in the South Carolina Constitution and the United States Constitution.

SECTION 3. Article 1, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25-1-80. (A) For the purposes of this section, ‘firearm’ shall include, but is not limited to, a rifle; shotgun; handgun; and magazines, clips, components, parts, accessories, or ammunition required for, fitted to, or useable with an authorized rifle, shotgun, or handgun that meets the criteria established in subsection (D)(2).

(B) Pursuant to the provisions of Section 25-1-60, an able-bodied citizen of this State who is at least eighteen years of age and who can legally purchase a firearm is deemed a member of the unorganized militia, unless he is already a member of the National Guard or the organized militia not in National Guard service.

(C) The unorganized militia will be responsive to the Governor, as provided in Section 3, Article XIII of the South Carolina Constitution, and to the Adjutant General and shall be regulated through the actions of the General Assembly.

(D) The rights, powers, duties, and immunities of the unorganized militia and its members include the following:

(1) the unorganized militia may be ordered to active duty pursuant to the provisions of Section 25-1-1890;

(2) an unorganized militia member, at his own expense, has the right to furnish himself with, and maintain at all times in his own possession, or subject to his control:

(a) any firearm that could be legally acquired or possessed by a South Carolina citizen as of December 31, 2020; and

(b) any firearm protected by the Second Amendment to the United States Constitution, including, but not limited to, any firearm that has some reasonable relationship to the preservation or efficiency of a well-regulated militia, that is any part of ordinary military equipment, or that could contribute to the common defense;

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(3) the unorganized militia is not subject to any law or regulation, or to the jurisdiction of any person or entity, outside of South Carolina, except that:

(a) as an instrumentality of this State, the unorganized militia, and its members, are entitled to each exemption, exception, or exclusion for a state and its political subdivisions provided for in the laws of the United States that, in any manner, regulates the manufacture, repair, sale, purchase, possession, transfer, or receipt of a firearm; and

(b) the unorganized militia may be employed in the service of the United States to enforce any statute enacted pursuant to the congressional authority to provide for calling forth the militia to execute the laws of the United States, suppress insurrections, and repel invasions pursuant to Article I, Section 8, Clauses 15 and 16 of the United States Constitution; and

(4) a member of the unorganized militia who has a conscientious objection to the personal possession of a firearm is exempt from the provisions contained in subsection (D)(2).”

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, then 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.

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

Senator CORBIN 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 28; Nays 15

AYES

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

Total--28

NAYS

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

Total--15

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

OBJECTION

H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M.M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

Senator CASH objected to consideration of the Bill.

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CARRIED OVER

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

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

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.

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

CARRIED OVER

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

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SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

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

READ THE SECOND TIME

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.

The question then being second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian

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Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

AMENDED, READ THE SECOND TIME

H. 4220 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (4220R001.SP.CBH), which was adopted:

Amend the bill, as and if amended, on page 1, SECTION 1, by striking lines 34- 37 and inserting:

/(1) if the owner is living, mailing a certified letter to the last known address on record of the insured or policy owner. If the owner is deceased, mailing a certified letter to the beneficiary and the deceased's estate, notifying the estate, insured, policy owner, or beneficiary, as appropriate, that the insurer is seeking a mutual rescission of the policy. The letter /

Renumber sections to conform.

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Amend title to conform.

Senator HUTTO 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 44; 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	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

AMENDED, READ THE SECOND TIME

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

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CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (4889R002.KMM.CBH), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Chapter 79, Title 40 of the 1976 Code is amended by adding:

“Section 40-79-215. An alarm business or contractor as defined in this chapter, or an alarm business call center, must not be fined or assessed a penalty by a local government for false alarms which are not attributed to improper installation, defective equipment, or operational error by the alarm business contractor.” /

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

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

Ayes 44; 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	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice

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Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

READ THE SECOND TIME

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.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER 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 3

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AYES

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

Total--40

NAYS

Bennett	Climer	Gustafson
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Total--3

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

READ THE SECOND TIME

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.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

Senator SENN spoke on the Bill.

The question then being second reading of the Bill.

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Motion Adopted

Senator DAVIS 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.

AMENDMENT PROPOSED, READ THE SECOND TIME

H. 3291 -- Reprs. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

The Senate proceeded to a consideration of the Bill.

Senators LOFTIS and CORBIN proposed the following amendment (3291R001.KMM.DAL) which was withdrawn:

Amend the bill, as and if amended, by striking Section 16-11-600(B)(2).

/ (2) by marking boundaries with a clearly visible purple-painted marking, consisting of one vertical line not less than eight inches in length and four inches in width, and the bottom of the mark not less than three nor more than six feet from the ground or normal water surface. These marks must be affixed to immovable, permanent objects that are not more than one hundred and fifty feet apart and readily visible from multiple angles to any person approaching the property. Any boundary at a corner must be marked by three circular rings around the immovable or permanent object. /

Renumber sections to conform.

Amend title to conform.

Senator LOFTIS explained the amendment.

The amendment was withdrawn.

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Senator HUTTO proposed the following amendment (JUD3291.001):

Amend the bill, as and if amended, page 1, by striking lines 24 through 37, in Section 16-11-600, as contained in SECTION 1, and inserting therein the following:

/ “Section 16-11-600. (A) Every entry upon the lands of another ~~where any horse, mule, cow, hog, or any other livestock is pastured, or any other lands of another,~~ after notice from the owner or tenant has been posted or given prohibiting such entry, ~~shall be~~ is a misdemeanor and must be punished by a fine of not to exceed more than one hundred dollars; or by imprisonment ~~with hard labor on the public works of the county for not exceeding more than~~ more than thirty days. ~~When any owner or tenant of any lands shall post a notice in four conspicuous places on the borders of such land prohibiting entry thereon, a proof of the posting shall be deemed and taken as notice conclusive against the person making entry, as aforesaid, for the purpose of trespassing.~~

(B) The owner or tenant of any lands may accomplish the posting of notice as follows: /

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then being second reading of the Bill.

Motion Adopted

Senator HUTTO 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.

READ THE SECOND TIME

H. 3599 -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE “OCCUPATIONAL THERAPY LICENSURE COMPACT” WHICH ENTERS SOUTH CAROLINA INTO A

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MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

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

Ayes 44; 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	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

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OBJECTION

H. 3772 -- Reps. Bernstein, G.M. Smith, Stavrinakis, Herbkersman, Rutherford, Elliott, Collins, W. Newton, Bannister, M.M. Smith, Brittain, Murray, Gilliard, Hewitt, Fry, Erickson, Bradley, Martin, Kirby, Davis, Kimmons, Garvin and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO ALLOW A RETAIL DEALER LICENSED TO SELL BEER AND WINE IN THIS STATE TO USE A DELIVERY SERVICE, OR ITS OWN EMPLOYEES OR INDEPENDENT CONTRACTORS TO FACILITATE THE DELIVERY OF CERTAIN BEER AND WINE, TO PROVIDE FOR A DELIVERY LICENSE, TO SPECIFY CERTAIN DELIVERY PROHIBITIONS AND OTHER REQUIREMENTS FOR THE DELIVERY OF SUCH BEER AND WINE.

Senator HARPOOTLIAN objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (SA\3775C001.JN.SA22), which was adopted:

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

/ SECTION 1. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38-71-144. (A) For purposes of this section:

(1) ‘Health benefit plan’ means all individual and group health insurance policies and health maintenance organizations issued, delivered or renewed in this State, to include the State Health Plan, but otherwise not to include the administrative services performed on behalf of a self-funded plan subject to the Employee Retirement Income

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Security Act (ERISA) of 1974 or other plans exempted by Section 38-71-1920(9).

(2) ‘Stage four advanced, metastatic cancer’ means cancer that has spread from the primary or original site of the cancer to nearby tissues, lymph nodes, or other areas or parts of the body.

(3) ‘Recognized diagnostic imaging service’ means a diagnostic imaging service for the diagnosis and treatment of stage four advanced, metastatic cancer for which the National Comprehensive Cancer Network Clinical Practice Guidelines in Oncology provide a uniform consensus that the proposed use of the diagnostic imaging service is appropriate and is supported by peer-reviewed literature.

(B) If a health benefit plan that covers the treatment of stage four advanced, metastatic cancer denies a prior authorization request or a claim for a recognized diagnostic imaging service for a covered person’s stage four advanced metastatic cancer based upon an adverse medical necessity determination, then the covered person shall have a right to an expedited external review in accordance with Section 38-71-1980.”

SECTION 2. This act takes effect upon approval by the Governor, and applies to health benefit plans issued, renewed, delivered, or entered into on or after the effective date of this act. /

Re-number sections to conform.

Amend title to conform.

Senator CROMER 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 44; 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

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Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

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

READ THE SECOND TIME

H. 4048 -- Rep. G.M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

The Senate proceeded to a consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (JUD4048.003), which was adopted:

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

/ SECTION 1. Chapter 11, Title 1 of the 1976 Code is amended by adding:

“Section 1-11-445 (A) The State of South Carolina, by and through its agencies, departments, and instrumentalities, must defend the state agency, department, or instrumentality, and the members of a governing board of the state agency, department, or instrumentality, as applicable, against an uninsured claim or suit that arises out of or by virtue of the performance of official duties on behalf of the state agency, department, or instrumentality, and must indemnify them for an uninsured loss or judgment incurred by them as a result of the claim or suit, without regard to whether the claim or suit is brought against them in their individual or official capacities, or both. The State also must defend directors, officers and employees of the entity, and legislative employees performing duties for the entity, against an uninsured claim or suit that arises out of or by virtue of the performance of official duties unless the director, officer, employee, or legislative employee was acting in bad faith, including, but not limited to, acting outside the scope of his official duties, or that the actions constituted actual fraud, actual malice, intent to harm, or a crime involving moral turpitude. The State shall indemnify these directors, officers, employees, and legislative employees for a loss or judgment incurred by them as a result of such uninsured claim or suit, without regard to whether the claim or suit is brought against them in their individual or official capacities, or both. This commitment to defend and indemnify extends to members of the entity, the entity’s officers, the entity’s director, the entity’s employees, and legislative employees after they have left their employment with the entity or the General Assembly, as applicable, if the uninsured claim or suit arises out of or by virtue of their performance of official duties on behalf of their employer.

(B) The term ‘instrumentality’ as used in this section includes an entity where a specific duty or function is imposed on the entity by law and includes any function where the entity must exercise a portion of the state’s sovereignty. Entities to which this provision applies include, but are not limited to, the State Fiscal Accountability Authority, the Judicial Merit Selection Commission, the Public Utilities Review Committee, the Retirement Systems Investment Panel, and all joint special legislative committees.

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(C) The provisions of subsection (A) also apply to employees and officers while acting within the scope of their employment when administering any South Carolina statute which has not been held to be unconstitutional or unlawful by a final decision of a court of competent jurisdiction. For purposes of this section, a final decision is the decision of a court declaring the South Carolina statute unconstitutional or otherwise unlawful, and from which the appropriate officials of this State may not or do not take an appeal or request a rehearing.

(D) This section does not waive any defense, immunity, limitation or jurisdictional bar, including, but not limited to, the Tort Claims Act. This section does not affect the terms or conditions of any applicable policy of insurance.”

SECTION 2. Sections 1-11-440 and 12-4-325 are repealed on 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 TALLEY 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 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpoottian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

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Talley
Williams

Turner
Young

Verdin

Total--44

NAYS

Total--0

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

OBJECTION

H. 4082 -- Reps. Felder, Brawley, Robinson, Henegan and Oremus: A BILL TO AMEND SECTION 40-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE STATE BOARD OF COSMETOLOGY, SO AS TO DEFINE THE TERM "HAIR DESIGNER"; TO AMEND SECTION 40-13-230, RELATING TO LICENSES ISSUED BY THE BOARD, SO AS TO PROVIDE FOR THE LICENSURE OF HAIR DESIGNERS; AND TO AMEND SECTION 40-13-5, RELATING TO OCCUPATIONS REGULATED BY THE PRACTICE ACT FOR COSMETOLOGISTS AND COSMETOLOGY, SECTION 40-13-110, RELATING TO DISCIPLINARY ACTIONS, SECTION 40-13-240, RELATING TO EXAMINATIONS AND FEES, AND SECTION 40-13-270, ALL RELATING TO RECIPROCITY WITH OTHER LICENSING JURISDICTIONS, ALL SO AS TO MAKE CONFORMING CHANGES.

Senator MARTIN objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED

OBJECTION

H. 4321 -- Reps. J.E. Johnson, Murphy, Hardee, Bailey, Jordan, Brittain, Kirby, Hart, McCravy and West: A BILL TO AMEND SECTION 42-1-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE REQUIREMENT FOR FILING AN ACTION AGAINST A THIRD PARTY IN A WORKERS' COMPENSATION CLAIM, SO AS TO MAKE THE FILING OF A NOTICE FORM PERMISSIVE.

The Senate proceeded to a consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (JUD4321.004), which was adopted:

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

/ SECTION 1. Sections 42-1-560(b) and (c) of the 1976 Code are amended to read:

“(b) The injured employee or, in the event of his death, his dependents, shall be entitled to receive the compensation and other benefits provided by this title and to enforce by appropriate proceedings his or their rights against the third party; provided, that action against the third party must be commenced not later than one year prior to the expiration of the time in which such action may be brought, and provided after the carrier has ~~accepts~~ accepted liability for the payment of compensation or ~~makes- made~~ payment pursuant to an award under this title, except as hereinafter provided. In such case the carrier shall have a lien on the proceeds of any recovery from the third party whether by judgment, settlement or otherwise, to the extent of the total amount of compensation, including medical and other expenses, paid, or to be paid by such carrier, less the reasonable and necessary expenses, including attorney fees, incurred in effecting the recovery, and to the extent the recovery shall be deemed to be for the benefit of the carrier. Attorney fees owed and payable by the carrier to the attorneys effecting the recovery shall be set by the commission but shall not exceed one third of the total claim amount paid by the carrier to the injured employee. Such fees shall be paid from the funds recovered by the carrier. Any balance remaining after payment of necessary expenses and satisfaction of the carrier’s lien shall be applied as a credit against future compensation benefits for the same injury or death and shall be distributed as provided in subsection (g). Notice of the commencement of the action shall be given within thirty days thereafter to the Workers’ Compensation Commission, the employer and carrier upon a form prescribed by the Workers’ Compensation Commission; provided, however, that failure to notify the Workers’ Compensation Commission, the employer, and the carrier upon a form prescribed by the Workers’ Compensation Commission does not constitute an election of remedy.

(c) When there is less than one year remaining prior to the expiration of the time in which an action against a third party must be commenced, and provided the carrier has accepted liability for the payment of compensation or made payment pursuant to an award under this title, if, prior to the expiration of the one-year period referred to in subsection (b), or within thirty days prior to the expiration of the time in which such

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~~action may be brought, and~~ the injured employee, or, in event of his death, the person entitled to sue therefor shall not have commenced action against or settled with the third party, the right of action of the injured employee, or, in event of his death, the person entitled to sue therefor shall pass by assignment to the carrier; provided, that the assignment shall not occur less than twenty days after the carrier has notified the injured employee or, in the event of his death, his personal representative or other person entitled to sue therefor in writing, by personal service or by registered or certified mail that failure to commence such action will operate as an assignment of the cause of action to the carrier. Prior to the expiration of ninety days after the assignment, the carrier shall give the Workers' Compensation Commission, the injured employee, or, in event of his death, his dependents and any other person entitled to sue therefor notice, upon a form prescribed by the Workers' Compensation Commission, that action has been or will be commenced against the third party. Failure to give this notice, or to commence the action at least thirty days prior to the expiration of the time within which such action may be brought, shall operate as a reassignment of the right of action to the injured employee, or, in event of his death, his personal representative or other person entitled to sue therefor, and the rights and obligations of the parties shall be as provided by subsection (b) of this section.

If the carrier as assignee recovers in an action:

(1) for injury, an amount in excess of the sum of the total of benefits paid or provided the injured employee and the reasonable expenses, including attorneys' fees, incurred in making such recovery; or

(2) for death, an amount on behalf of the dependents of the employee in excess of the benefits paid the dependents, and the reasonable expenses, including attorneys' fees, incurred in making the recovery, the excess shall be applied as a credit against future compensation and other benefits for the same injury or death and shall be distributed in accordance with subsection (g)."

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

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Senator MASSEY objected to consideration of the Bill.

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CARRIED OVER

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

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (3166R001.KMM.DBV), which was adopted:

Amend the bill, as and if amended, on page 3, by striking line 7 and inserting:

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/ treatment, to include pain management; and /

Re-number sections to conform.

Amend title to conform.

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

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

Ayes 44; 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	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

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

READ THE SECOND TIME

H. 3247 -- Reprs. G.M. Smith, B. Cox, V.S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: A BILL TO

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AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT”; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO PHASE-IN THE REMOVAL OF CERTAIN LIMITS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3247C002.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

/ SECTION 3. This act takes effect upon approval by the Governor and first applies to tax years beginning after 2026. /

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.

Motion Adopted

Senator DAVIS 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.

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

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

H. 3325 -- Reps. King, Murray, Rivers, M.M. Smith and Parks: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO

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ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN spoke on the Bill.

The Committee on Medical Affairs proposed the following amendment (DG\3325C002.NBD.DG22), which was adopted:

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

/ SECTION 1. A. Section 44-63-74(A)(4) of the 1976 Code is amended to read:

“(4) Death certificates must be transmitted electronically between the funeral home, or funeral home director, and the physician, coroner, or medical examiner certifying the cause of death in order to document the death certificate information prescribed by this chapter. Required signatures on death certificates must be provided by electronic signature. An individual who acts, without compensation, as a funeral director on behalf of a deceased family member or friend, ~~physicians certifying fewer than twelve deaths per year, and funeral homes that perform fewer than twelve funerals per year~~ is exempt from the requirement to file electronically but must comply with the requirements of items (2) or (3), as applicable.”

B. Section 44-63-74(A)(1) of the 1976 Code is amended to read:

“(A)(1) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics within five days after death. Within five days of receipt, the Bureau of Vital Statistics shall notify the State Election Commission of the decedent’s death who shall subsequently notify the County Board of Voter Registration and Elections in which the decedent was a resident of the decedent’s death for purposes of removing the decedent from the voter roll.”

SECTION 2. This act takes effect July 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

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Senator CORBIN proposed the following amendment (DG\3325C003.NBD.DG22), which was adopted:

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

/ B.Section 44-63-74(A)(1) of the 1976 Code is amended to read:

“(A)(1) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics within five days after death. As prescribed by law, the Bureau of Vital Statistics shall notify the State Election Commission of the decedent’s death who shall subsequently notify the County Board of Voter Registration and Elections in which the decedent was a resident of the decedent’s death for purposes of removing the decedent from the voter roll.” /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

Senator GUSTAFSON spoke on the Bill.

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 44; Nays 0

AYES

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

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Williams

Young

Total--44

NAYS

Total--0

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

READ THE SECOND TIME

H. 3840 -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Wooten, Caskey, B. Cox, Blackwell, Dabney, King, Jefferson, Brawley, Howard, S. Williams, G.R. Smith, Huggins, Murray and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 67, TITLE 40 SO AS TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO STATE THE PURPOSE OF THE ACT, TO PROVIDE DEFINITIONS, TO OUTLINE STATE PARTICIPATION, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION", TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, RULES, WITHDRAWAL, AND AMENDMENT, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND BINDING EFFECT OF THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

The Senate proceeded to a consideration of the Bill.

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Senator VERDIN explained the Bill.

The question then being second reading of the Bill.

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

Ayes 44; 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	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

CARRIED OVER

H. 3998 -- Reps. Fry, Dillard, Erickson, Davis, Wooten, Trantham and Hewitt: A BILL TO AMEND SECTIONS 44-53-1630 AND 44-53-1640, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD SCHEDULE V CONTROLLED SUBSTANCES TO THE PRESCRIBED AND

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DISPENSED CONTROLLED SUBSTANCES MONITORED UNDER THE PROGRAM.

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

READ THE SECOND TIME

H. 4999 -- Rep. Hiott: A BILL TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator SENN proposed the following amendment (DG\4999C001.NBD.DG22), which was ruled out of order:

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

/ SECTION ____ . A. Chapter 1, Title 48 of the 1976 Code is amended by adding:

“Section 48-1-92. (A) The department is to regulate stormwater discharges of pre-production plastic at facilities that are not regulated based on the existing criteria of the National Pollutant Discharge Elimination System Stormwater Program. Pursuant to the program:

(1) pre-production plastics are those products, to include pellets, powders, and flakes, that are utilized in the production of plastic products;

(2) post-production plastics are those products created by activities including the melting, shaping, and molding of pre-production plastics;

(3) the department shall promulgate regulations to add an additional category of industrial activity so that the operators of facilities that are primarily engaged in the transportation, transloading, packaging, wholesale, or storing of pre-production plastics are subject to regulation by the program. The operators of facilities that transport, transload, package, wholesale, or store post-production plastics shall not be included; and

(4) pre-production plastic shall be classified as ‘other refuse’ for the purposes of the Water Classifications and Standards.

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(B) The department shall promulgate regulations to implement best practice requirements for facilities that are brought under regulation pursuant to this section, including:

(1) the installation of containment systems at all storm drain discharge locations at a facility that are down-gradient of an area where pre-production plastic is handled;

(2) measures to contain pre-production plastic during the storage, handling, or transfer of the pre-production plastic, including the use of:

(a) sealed containers that will not rupture under typical loading or unloading activities;

(b) capture devices under all transfer valves and devices used in loading, unloading, or otherwise transferring pre-production plastic; and

(c) vacuums or vacuum-type systems for the quick cleanup of fugitive pre-production plastic; and

(3) new best management practices reflecting updates in science and technology, or advances in detection and treatment technologies, as appropriate.

(C) The department may promulgate regulations necessary to implement the program and to provide additional requirements regarding the regulation of releases of pre-production plastic from facilities into the waters or onto the land of this State.

(D) A facility that violates a provision of this section shall be subject to the department's enforcement procedures, and such a facility shall further:

(1) for a first violation during a five-year period, be fined up to twenty-five thousand dollars;

(2) for a second violation during a five-year period, be fined up to fifty thousand dollars; and

(3) for a third or subsequent violation during a five-year period, be fined up to one hundred thousand dollars and have its permit revoked for five years."

B. The Department of Health and Environmental Control shall implement the program pursuant to Section 48-1-92, as added by this act, no later than January 1, 2022."

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

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Point of Order

Senator GROOMS 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 SENN spoke on the Point of Order.
Senator GROOMS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The question then being second reading of the Bill.

Motion Adopted

Senator HUTTO 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.

READ THE SECOND TIME

H. 5000 -- Reps. Matthews, Caskey, Wooten and May: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN explained the Bill.

The question then being second reading of the Bill.

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

Ayes 38; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis

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Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler
Shealy	Turner	Verdin
Williams	Young	

Total--38

NAYS

Matthews	McLeod	Sabb
Stephens	Talley	

Total--5

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

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

The Senate proceeded to a consideration of the Bill.

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The Committee on Finance proposed the following amendment (DG\5182C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, SECTION 1, beginning on page 5, by striking Section 11-58-70(B) through (F) and inserting:

/ (B) The South Carolina Opioid Recovery Fund Board shall be comprised of twelve members, who shall be appointed as follows:

(1) the Governor shall appoint one member, who shall serve as chairperson;

(2) the President of the Senate shall appoint one member;

(3) the Speaker of the House of Representatives shall appoint one member;

(4) the Governor shall appoint three members, the Speaker one member, and the President of the Senate one member from a list provided by the South Carolina Association of Counties, with at least one member selected from each of the South Carolina public health regions as defined by the South Carolina Department of Health and Environmental Control;

(5) the Governor shall appoint two members from a list provided by the Municipal Association of South Carolina;

(6) the Chairman of the Senate Finance Committee shall appoint one member; and

(7) the Chairman of the House Ways and Means Committee shall appoint one member.

The members appointed by the Governor, other than the chairperson, shall select one of themselves to serve as vice chairperson.

(C)(1) All members of the South Carolina opioid recovery fund board shall be academic, medical, licensed health, or other professionals with significant experience in opioid prevention, treatment, or intervention or who can represent the interest of the victims and families of victims of opioid overdose or misuse. Members of the board must not have been convicted of a felony or a crime of moral turpitude.

(2) In making appointments, race, gender, national origin, and other demographic factors should be considered by the appointing authority to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.

(D) Members of the South Carolina Opioid Recovery Fund Board shall not be compensated for their services except as provided in Section 11-58-80(C).

(E) All members of the South Carolina Opioid Recovery Fund Board shall be appointed within thirty days of the board's creation.

(F) The terms of appointment as a member of the South Carolina Opioid Recovery Fund Board shall be as follows:

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(1) for the initial term of the chairperson and the five members selected from the list provided by the South Carolina Association of Counties, six years;

(2) for the initial term of all other members of the board, four years; and

(3) for all subsequent members of the board, four years.

All terms of members are deemed to commence on May first of the appointing year and expire on April thirtieth of the ending year.

Members of the board may continue to serve upon the expiration of their terms until either reappointed or a new appointment is made.

Any vacancy on the board caused by the death, incapacity, or resignation of a member shall be filled for the unexpired term in the same manner as the original appointment. /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN 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 36; Nays 0; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpoottlian
Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Massey	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--36

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NAYS

Total--0

ABSTAIN

Davis
Senn

Matthews
Young

McElveen

Total--5

Motion Adopted

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.

There was no objection.

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

CARRIED OVER

H. 5270 -- Reps. Whitmire, Lucas, Finlay and King: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 4, 2022, AS THE TIME TO ELECT ONE AT-LARGE MEMBER TO THE BOARD OF VISITORS FOR THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2028; FOR THE PURPOSE OF ELECTING THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14,

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WHOSE TERM WILL EXPIRE JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2026; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026.

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

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

Senator MASSEY from the Rules Committee polled out H. 5198 to be set for Special Order:

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

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Poll of the Rules Committee

Polled 17; Ayes 12; Nays 4; Abstain 0; Not Voting 1

AYES

Massey	Cromer	Malloy
Martin	Allen	Corbin
Young	Grooms	Hembree
Goldfinch	Harpootlian	M. Johnson

Total--12

NAYS

Campsen	Sabb	McLeod
Shealy		

Total--4

NOT VOTING

Kimpton

Total--0

The Bill was made a Special Order.

MOTION ADOPTED

At 6:14 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

H. 4408 -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

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

Senator SETZLER explained the amendments.

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

Ayes 41; Nays 0

AYES

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

Total--41

NAYS

Total--0

On motion of Senator SETZLER, 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.

CONCURRENCE

H. 5075 -- Reps. G.M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS

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FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

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

Senator SETZLER explained the amendments.

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

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
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
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Bennett	Talley
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Total--2

On motion of Senator SETZLER, 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.

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MOTION TO VARY THE ORDER OF THE DAY ADOPTED

On motion of Senator MASSEY, under Rule 32A, the Senate agreed to vary the order of the day and proceed to the morning hour.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christina Thompson, 700 Woodrow Street, Columbia, SC 29205-1757 *VICE* Eleanor Duffy Cleary

Reappointment, Sumter County Master-in-Equity, with the term to commence December 31, 2022, and to expire December 31, 2028

Michael M. Jordon, 10 Law Range, Sumter, SC 29150

Reappointment, Bamberg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Richard Craig Threatt, 79 Meadow Lane, Bamberg, SC 29003-2423

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Robin Locklear, 431 North Brooks Street, Manning, SC 29102-3325

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Sophia T. Henderson, 1145 Oakman Branch Road, Walterboro, SC 29488-7877

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles D. Spivey, P. O. Box 1204, Dillon, SC 29536-1204

Reappointment, Edgefield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joseph V. Mosley, 1445 Bettis Academy Road, Trenton, SC 29847-2603

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Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kimberly B. Cox, 215 West Coleman Avenue, Pamplico, SC 29583-3759

Recorded Vote

Senator REICHENBACH desired to be recorded as voting against confirmation of the Magistrate.

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Tommy G. Mourounas, 5719 East Old Marion Hwy., Florence, SC 29506-9311

Recorded Vote

Senator REICHENBACH desired to be recorded as voting against confirmation of the Magistrate.

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Frank White, 3118 Devon Road, Florence, SC 29505-7304

Recorded Vote

Senator REICHENBACH desired to be recorded as voting against confirmation of the Magistrate.

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Jonathan D. Anders, 107 South Pliney Circle, Simpsonville, SC 29681-2330

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Scott Bingel, 9 Melvin Circle, Taylors, SC 29687-2437

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Mark Edmonds, 131 Montis Drive, Greenville, SC 29617-8101

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Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Dean E. Ford, 205 North Maple St., Simpsonville, SC 29681-2312

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Leila Foster, 21 Susan Dr., Piedmont, SC 29673-7002

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Darrell Fisher, 112 Hedge Rose Court, Travelers Rest, SC 29690-7001

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Vilvin Garrison, 551 Waterbrook Drive, Greenville, SC 29607-4878

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Jonathan A. Horne, 50 Tindal Rd., Greenville, SC 29617-7631

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Matthew B. Hubbard, 9 Montford Court, Travelers Rest, SC 29690-2262

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

James E. Hudson, 6 Highview Dr., Greenville, SC 29609-3261

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kenneth Southerlin, 905 East Silverleaf, Greer, SC 29650

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Letonya T. Simmons, 202 Twilight Place, Simpsonville, SC 29681

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Bradley Stepp, 1 Chasta Avenue, Greenville, SC 29615-1109

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Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Clare Thompson, 103 Beechwood Court, Mauldin, SC 29662-1601

Reappointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Tonja Alexander, P.O. Box 837, Varnville, SC 29944-0837

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Catherine D. Baggett, P. O. Box 2020, Ridgeland, SC 29936-2635

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Fredrick Thomas, P. O. Box 3222, Lancaster, SC 29721-3222

Reappointment, McCormick County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

John Long, 132 Antioch Dr., McCormick, SC 29835-4235

Reappointment, McCormick County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Patty Smith, 3145 Upper Mill Road, McCormick, SC 29835-7243

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

William Robin Freeman, 3690 Hollywood Rd., Chappells, SC 29037-9436

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joyce B. Shults, 1437 Old Chappells Ferry Rd., Saluda, SC 29138-8036

Appointment, Union County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2023

David Kevin Morrow, 134 Chapel Rd., Union, SC 29379-8080

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

William Driggers, 209 Short Street, Kingstree, SC 29556-3926

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Initial Appointment, York County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Walton Beck, 782 Ottawa Drive, Rock Hill, SC 29732-9273

REMARKS

ADDENDUM TO THE JOURNAL

The following remarks by Senator KIMPSON were ordered printed in the Journal of April 19, 2022:

Remarks by Senator KIMPSON

Thank you so much, Mr. PRESIDENT. I just got back from the White House -- the nation's capital. The President of the United States, Joseph Biden sends his greetings to the State of South Carolina. I had the opportunity to attend the White House Easter Egg Roll. As many of you know I've been to the White House several times this year. We started at the Carol Lighting Ceremony last year. Then we had the occasion to witness the Black History Program -- the President of this Country and the Vice President of this Country noted the historic number of African Americans in their administration, and then of course, we had a somber moment just a month ago. I was fortunate enough to witness the signing of the Emmett Till Anti-Lynching Bill -- a Bill that came before Congress over 200 times before it was passed -- and was just passed under the leadership of this President Joseph R. Biden -- who won by more votes than any other President in United States history and that is a fact. Yesterday I was proud to take my two children Marleigh -- who is eight years old, and Marlon -- they have good names -- Marleigh and Marlon to the Easter Egg Hunt. There were a lot of people at the Easter Egg Hunt. I joke a lot on this Senate floor but I will have to confess to my colleagues that yesterday when I walked on the White House grounds, with my two little children, I felt a sense of overwhelming spirit to have and provide this opportunity to my children -- who sometimes don't really appreciate politics. It was well worth my early support for this President to have visited. Before we left the White House grounds, my son rolled that wooden Easter egg. And after seeing President Biden come out to the front lawn, he looked up to me and he said, "Daddy, I think I want to be President." I said, "Son, you can be President. And told my daughter, Marleigh, you can be President as well." Vice President Kamala Harris and many dignitaries were there but Marleigh and Marlon were more excited about seeing Ciara, a music artist and also Doc McStuffin, a Disney character. Present at this event were not only

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people who have supported and continue to support this President on the state and national level, there were thousands of teachers and military service people. I want to thank the President of this Country for returning the White House grounds to the people of the United States. After battling Covid, they had not had this event for two years. We are thankful for this administration guiding us out of the Covid pandemic. We are equally thankful for him sending all that money, \$13 billion, to the State of South Carolina, under Coronavirus 1, Coronavirus 2, and the American Rescue Plan.

ADDENDUM TO THE JOURNAL

The following remarks by Senator MATTHEWS were ordered printed in the Journal of April 27, 2022:

Remarks by Senator MATTHEWS

I was not sure when I was going to make these statements. I was going to make them yesterday but I was unable to find an appropriate time. On Monday, I had an interesting conversation with one of my constituents in Charleston. A lot of you know her, her name is Anita Zucker and she is a proud South Carolinian. We spoke on a lot of things like how her parents still had their home in the Ukraine; how concerned she was for her State that she tries to give back to; and, where we are today. We talked about what had gone on in Charleston years ago with one of your own -- the person who I succeeded, Clementa Pinckney. When I came to the Senate, I came behind him and had big shoes to fill.

I wasn't sure what I was going to say this morning because I have tried to follow the Creed of the Senate. I know a lot of you do not want to hear about this. We have a Hate Crimes Bill. But I came to the Senate with the understanding that we were a deliberative Body. That means we are to talk out our differences and try to find common ground. So it was interesting to me that even though one of your Senators, after making comments on this very floor about gun rights, left these Chambers on June 17, 2015, and was murdered later that evening in his church along with some of his parishioners. This was one of the nation's most atrocious hate crimes that has ever been committed and the irony is that this Body refuses to even deliberate the Bill.

The leadership has made a statement that this is not important. That Clementa Pinckney's death *is* in vain and that the rest of us, when we stand up, can be persecuted for representing our constituents. The leadership in my caucus said, "Let's take all of the people listed in your

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book; let's take all of the people that have objected to this Hate Crimes Bill, and go around and talk to them." What's interesting about the Hate Crimes Bill in our book is that this is the most contested Bill before us. At one time it was nine, at another time it was ten; currently, eight members are contesting this Bill. What is also interesting -- it is not necessarily the leadership that has objected to this Bill. It is also the young members -- it is most of the young Senators here. Quite honestly, I think the leadership *does* object to it because the leadership is responsible for bringing the Bill to the floor under Special Order. I think that it is using some of the other members and that's a shame on you.

South Carolina has long said, "Welcome to South Carolina, it is a great place to live" or "It is a great day in South Carolina." The Governor keeps saying, "South Carolina is open for business. We want business here." What Anita Zucker brought to my attention and what she discovered was that white nationalists have this website, called Storm Front. It is a worldwide, white pride forum. I placed a copy of a thread from the website on your desks yesterday. You can research this site yourself. Did you know that South Carolina is now a great place for white nationalists to come? That's what this site says. I circled it for you to reference. Because we refuse to take up this Hate Crimes Bill, because we refuse to pass hate crimes laws, across the world South Carolina is now touted as a great place to come -- because we do not have a Hate Crimes Bill. That's what it is saying. You can look at the threads yourself. I do not know another way to say this other than, shame on you if you don't at least let us take this up before this legislative session is over.

A lot of the young Senators, some of them lawyers, whom I have tried to talk to have never read the Bill. When I tried to deliberate with them, some of the lawyers in this Body have told me that they just do not want free speech to be removed. Subsequently, it was brought to my attention that that component of the Bill was removed. The whole idea of pandering to the far right -- we've fallen prey to it. It is not a great day to live in South Carolina when we say by our actions that we *want* to live among people who pride themselves on hating others.

I cannot imagine anybody in here that I would hate. I just do not get it. We can do better than this, South Carolina. We have to do better! I am going to reference what I read online. The question on the StormFront.org site asks, "White nationalist friendly towns I can move to?" Congratulations, South Carolina! On the second page, one forum member states, "One thing to consider before moving is that: Arkansas, Indiana..." and we know Indiana now has hate crime legislation, "

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...Wyoming and South Carolina don't have hate crime laws yet, at least according to the ADL." So congratulations leadership, you've accomplished a lot this year in showing that all of you love South Carolina and you want us to continue to prosper. Don't let hate live. It's up to you.

ADDENDUM TO THE JOURNAL

The following remarks by Senator SENN were ordered printed in the Journal of April 27, 2022:

Remarks by Senator SENN

Colleagues, I am mortified about what just happened. We never fail to give our colleagues an extra minute or two when they are trying to make a point of personal interest. Here it was -- it happened during all of our colleagues pouring out their hearts about their lack of an ability to even get a fair debate on the Hate Crimes Bill. It struck me that what I've seen today are only Democrats and only black Democrats coming up here to talk about the Hate Crimes Bill. But, I'm going to tell you right now, this white Republican thinks that we need to have an open and honest debate. If you don't want the Bill, vote against it. I would like to point out, also, that Senator KEVIN JOHNSON -- we all know him -- he rarely holds up a Bill. He believes in free and fair debate. He almost always sends things through even if he doesn't like it -- like medical marijuana. He lets people have a chance to vote. We need to vote on this and I honestly believe those of you who voted "no" to add the hate crimes portion in proviso yesterday -- a lot of you did so only because the budget was not an appropriate place for that argument to take place. However, I do believe that we need to go ahead and have honest and open debate on it. We do it on abortion year after year. Those of us who do not like the Bills have to stand up and cast our votes. Those of you who do not like the Hate Crimes Bills, for whatever reason, ought to at least come to the podium and explain why you don't like it. Let's have a debate and put it forward. Thank you.

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.

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Motion Adopted

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

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jonathan Michael Tucker of Greenville, S.C. Jonathan was an alumnus of Lander University where he received a degree in Marketing Management. He served as Pledge Educator for Alpha Tau Omega. He was President and Owner of America's Swimming Pool Company in Greenville, S.C. Jonathan enjoyed golfing, fishing, coaching baseball, traveling and spending time with family and friends. Jonathan was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jimmy Young of Georgetown, S.C. Jimmy was retired from the Georgetown Steel Mill and was an Air Force Veteran. Jimmy was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 6:44 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

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